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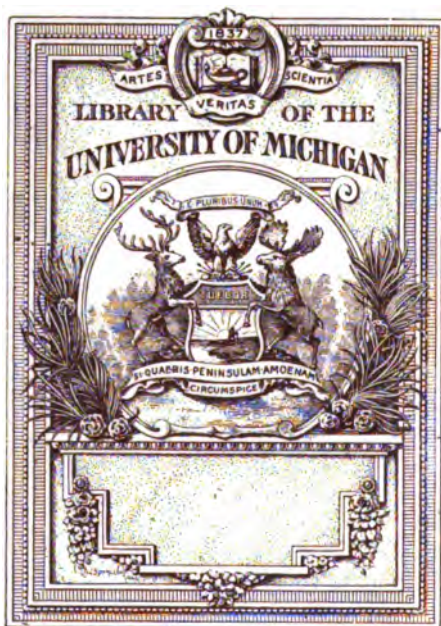
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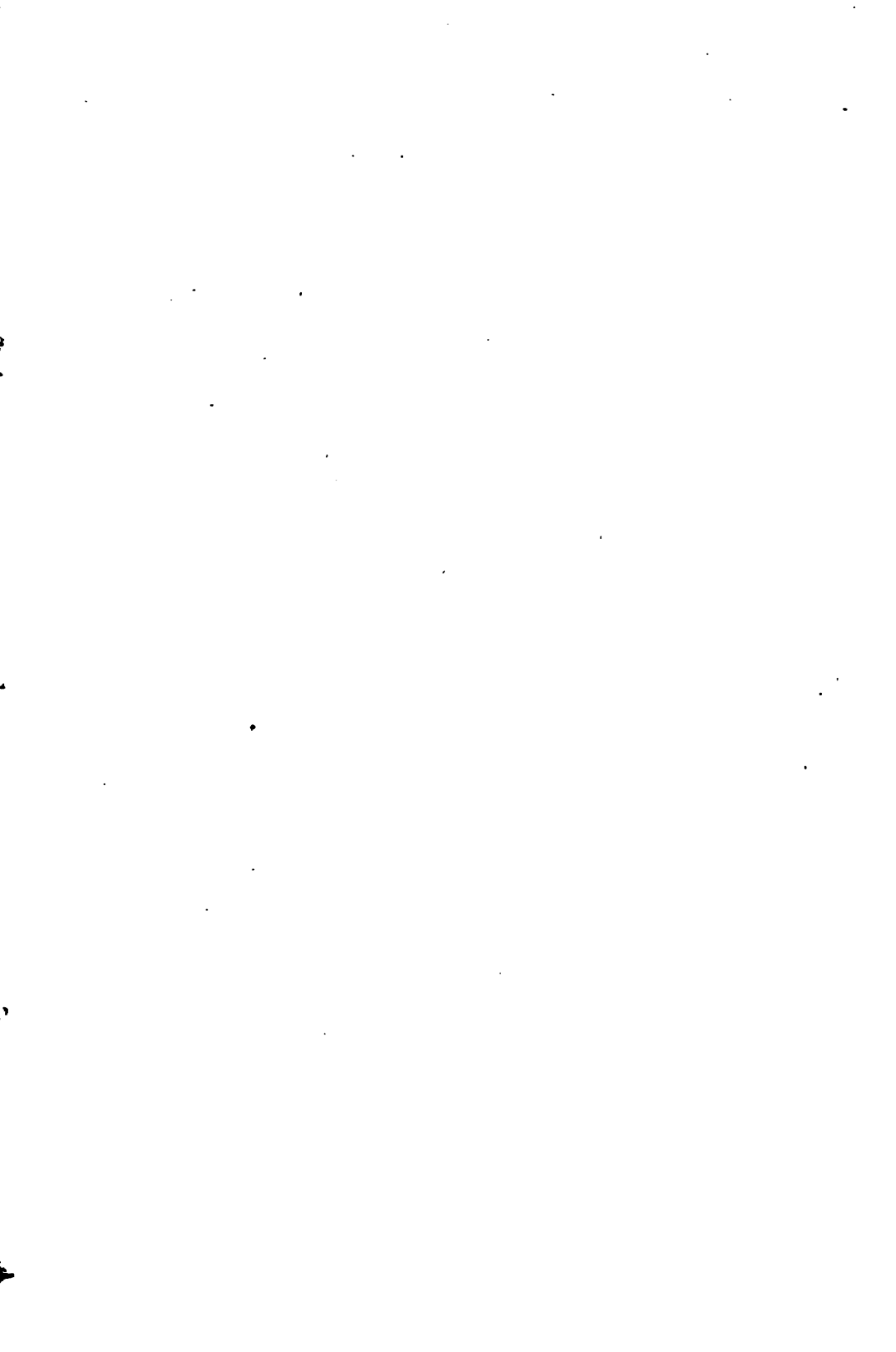




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JOURNAL  
OF  
THE SENATE

OF THE  
NINETEENTH GENERAL ASSEMBLY

OF THE  
STATE OF IOWA,

WHICH CONVENED AT THE CAPITOL AT DES MOINES, JANUARY 9, 1882.

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DES MOINES:  
F. M. MILLS, STATE PRINTER.  
1882.





# JOURNAL OF THE SENATE.

SENATE CHAMBER,  
DES MOINES, IOWA, January 9, 1882. }

PURSUANT to law the Senate of the Nineteenth General Assembly convened at 2 o'clock P. M., and was called to order by Lieutenant-Governor Frank T. Campbell, President of the Senate.

Prayer by the Reverend Mr. Howard.

On motion of Senator Hartshorn, A. T. McCargar was elected temporary Secretary.

The roll of the Senators holding over was then called, and the following were found to be present:

## HOLD-OVER SENATORS.

3d District—J. J. Wall.  
4th District—David M. Clark.  
5th District—Wm. M. Wilson.  
6th District—J. W. Keller.  
8th District—Alfred Hebard.  
11th District—S. M. Boling.  
14th District—John W. Prizer.  
15th District—J. Kelley Johnson.  
16th District—J. F. Greenlee.  
17th District—Mark A. Dashiell.  
19th District—Geo. F. Wright.  
23d District—John Russell of Cedar.  
24th District—Pierce Mitchell.  
25th District—John C. Shrader.  
27th District—John W. Henderson.  
28th District—John D. Nichols.  
31st District—Samuel D. Nichols.  
32d District—Delos Arnold.  
33d District—John D. Gillett.  
36th District—Rodney W. Tirrill.  
39th District—M. W. Harmon.  
40th District—Martin Garber.  
41st District—Henry Nielander.  
43d District—Wm. Larrabee.  
46th District—A. M. Whaley.  
49th District—Eldin J. Hartshorn.

The roll of newly elected Senators was then called, and the following presented their credentials:

1st District—H. W. Rothert.  
2d District—Alexander Brown.  
7th District—T. E. Clark.  
10th District—Lot Abraham.

12th District—C. M. Brown.  
 13th District—J. G. Hutchison.  
 18th District—C. B. Hunt.  
 20th District—Pliny Nichols of Muscatine.  
 21st District—J. C. Bills.  
 22d District—N. A. Cotton.  
 26th District—W. A. Patrick.  
 29th District—E. S. Sudlow.  
 30th District—H. Y. Smith.  
 34th District—T. M. C. Logan.  
 35th District—J. K. Graves.  
 37th District—J. L. Kamrar.  
 38th District—H. C. Hemenway.  
 42d District—H. A. Baker.  
 44th District—C. A. Marshall.  
 45th District—A. N. Poyneer.  
 47th District—H. G. Parker.  
 48th District—J. J. Russell.  
 50th District—G. S. Robinson.

On motion of Senator Wright, Theodore Schreiner was elected temporary Door-keeper.

J. Mettles, of Polk county, was, on motion of Senator Gillett, elected temporary Sergeant-at-Arms.

On motion of Senators Johnson and Greenlee, Chas. K. Needham and Frank Hepburn were elected temporary Messengers.

Senator Tirrill moved that a committee of five be appointed on Credentials, which was agreed to, and the President appointed Senators Tirrill, Wright, Shrader, Wilson, and Clark of Wayne.

On motion of Senator Greenlee the Senate adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER.  
 DES MOINES, IOWA, January 10, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. W. J. Young.

The journal of yesterday was read and approved.

Senator Tirrill, from the Committee on Credentials, submitted the following report:

MR. PRESIDENT—Your Committee on Credentials beg leave to report that they have examined the credentials of the following named Senators, and find them correct:

1st District—Henry W. Rothert.  
 2d District—Alexander Brown, to fill vacancy.  
 7th District—Talton E. Clark.  
 10th District—Lot Abraham.  
 12th District—Cassius M. Brown.

13th District—Joseph G. Hutchison.  
 18th District—Cephas B. Hunt.  
 20th District—Pliny Nichols.  
 21st District—John C. Bills.  
 22d District—Wickliffe A. Cotton.  
 26th District—Wm. A. Patrick, to fill vacancy.  
 29th District—Egbert C. Sudlow.  
 30th District—Hiram Y. Smith.  
 34th District—T. M. C. Logan.  
 35th District—Julius K. Graves.  
 37th District—John L. Kamrar.  
 38th District—Herman C. Hemenway.  
 42d District—Henry A. Baker.  
 44th District—Chapman A. Marshall.  
 45th District—Alfred N. Poyneer.  
 46th District—Alvin M. Whaley, to fill vacancy.  
 47th District—Horace G. Parker, to fill vacancy.  
 48th District—John J. Russell.  
 50th District—Gifford S. Robinson.

R. W. TIRRELL, *Chairman.*

GEO. F. WRIGHT,

W. M. WILSON,

J. C. SHRADER,

D. M. CLARK,

*Committee.*

On motion of Senator Dashiell the report was received and adopted.

The newly-elected members of the Senate presented themselves at the bar of the Senate, and President Campbell administered to them the oath of office.

Senator Greenlee moved that the Senate proceed to the election of permanent officers.

The motion prevailed.

Senator Rothert nominated Frank D. Jackson, of Butler county, for Secretary of the Senate.

The roll was then called.

Those voting for Frank D. Jackson were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—44.

Absent or not voting:

Senators Arnold, Clark of Wayne, Hall, Harmon, Kamrar, and Smith—6.

Frank D. Jackson having received the entire vote cast was declared duly elected Secretary of the Senate.

Senator Rothert nominated Wm. Lytle, of Iowa City, for First Assistant Secretary of the Senate.

The roll was then called.

Those voting for Wm. Lytle were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—47.

Absent or not voting:

Senators Clark of Page, Clark of Wayne, and Hall—3.

Wm. Lytle, having received the entire vote cast, was declared duly elected First Assistant Secretary of the Senate.

Senator Rothert nominated E. H. Odell, of Pottawattamie county, for Second Assistant Secretary of the Senate.

The roll was then called.

Those voting for E. H. Odell were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—48.

Absent or not voting:

Senators Clark of Wayne and Hall—2.

E. H. Odell, having received the entire vote cast, was declared duly elected Second Assistant Secretary of the Senate.

Senator Rothert presented the name of Miss Clara C. Lacy of Mahaska county, for Enrolling Clerk of the Senate.

The roll was called.

Those voting for Miss Clara C. Lacy were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—47.

Absent or not voting:

Senators Clark of Wayne, Hall, and Russell of Jones—3.

Miss Clara C. Lacy, having received all the votes cast, was declared duly elected Enrolling Clerk of the Senate.

Senator Rothert nominated Miss Mira E. Troth, of Franklin county, for the office of Engrossing Clerk.

The roll was called.

Those voting for Miss Mira E. Troth were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett

Graves, Greenlee, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—47.

Absent or not voting:

Senators Clark of Wayne, Hall, and Russell of Jones—3.

Miss Mira E. Troth having received the total vote cast, was declared duly elected Engrossing Clerk of the Senate.

Senator Rothert nominated H. C. Darrah for Sergeant-at-arms of the Senate.

The roll was called.

Those voting for H. C. Darrah were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—46.

Absent or not voting:

Senators Clark of Wayne, Hall, Harmon, and Mitchell—4.

H. C. Darrah, having received the entire vote cast, was declared duly elected Sergeant-at-arms of the Senate.

Senator Rothert put in nomination the name of Theodore Schreiner of Henry county, for Door-keeper of the Senate.

The roll was called.

Those voting for Theodore Schreiner were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchinson, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—46.

Absent or not voting:

Senators Clark of Wayne, Hall, Harmon, and Mitchell—4.

Theodore Schreiner, having received the entire vote cast, was declared duly elected to the office of Door-keeper of the Senate.

Henry McCravens was placed in nomination by Senator Rothert, for the office of Janitor of the Senate.

The roll was called.

Those voting for Henry McCravens for Janitor were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hebard, Henderson, Hunt, Hutchison, Johnson, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene,



Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—44.

Absent or voting nay:

Senators Clark of Wayne, Hall, Hemenway, Kamrar, Parker, and Wall—6.

Henry McCravens, having received a majority of all the votes cast, was declared duly elected Janitor of the Senate.

#### RESOLUTIONS.

Senator Rothert offered the following resolution, which was adopted: *Resolved*, That Mrs. J. M. Dixon and Mrs. Lucy M. Vinson be appointed Paper-folders of the Senate. Adopted.

Senator Nichols of Guthrie offered the following, which was adopted: *Resolved by the Senate, the House concurring*, That Miss Belle Grow and Miss Carrie A. Clark be appointed to the office of Postmaster and Assistant Postmaster, respectively, of the Nineteenth General Assembly.

Senator Wilson offered the following resolution, which was adopted: *Resolved*, That until otherwise ordered the printed rules governing the Eighteenth General Assembly be, and they are hereby adopted.

The President then administered the oath of office to the officers of the Senate.

Senator Hartshorn moved the appointment of a committee of two to proceed to the House of Representatives to notify that body that the Senate is organized and ready for business, which was agreed to, and the President appointed Senators Hartshorn and Prizer as such committee.

Senator Tirrill offered the following resolution:

*Resolved*, That the Secretary of State be requested to furnish each member of the Senate with a copy of the Code of Iowa of 1873, and a copy of the session laws of the Fifteenth, the Sixteenth, and the Seventeenth and Eighteenth General Assemblies.

Senator Clark of Wayne offered an amendment to the resolution, adding thereto the words: "for their use, and that said Code of Iowa of 1873 and said session laws be returned at the close of the present session."

The amendment was accepted.

Senator Rothert moved to strike out the words after and including the last word "and."

The yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hebard, Henderson, Hunt, Hutchison, Johnson, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—44.

The nays were:

Senators Clarke of Wayne and Wall—2.

Absent or not voting:

Senators Hall, Kamrar, Parker, and Hemenway--4.

The motion prevailed.

Senator Bills moved to strike out the words "the Code of 1873" and to insert "McClain's or Miller's Annotated Code."

Senator Logan moved that the amendment lie on the table.

The motion was lost.

Senator Tirrill moved that the further consideration of the resolution be postponed until to-morrow.

The motion prevailed.

The committee appointed to notify the House of the organization of the Senate, reported that they had so notified the House.

Senators Rothert and Mitchell were appointed a committee to wait on the Governor, to notify him that the Senate is organized and ready to communicate with him.

#### CONCURRENT RESOLUTION.

Senator Gillett offered a resolution which was adopted.

*Resolved by the Senate, the House concurring,* That the Senate will meet the House in the Hall of the House of Representatives, in joint convention, for the purposes of canvassing the vote for Governor and Lieutenant-governor, on Wednesday, January 11th, 1882, at 10:30 o'clock, A. M.

Senator Rothert, from the Committee to wait upon the Governor reported that duty discharged.

Senator Smith offered the following concurrent resolution, which was adopted:

*Resolved by the Senate, the House concurring,* That a committee of three from the Senate, and three from the House be appointed on inauguration of the Governor and Lieutenant-governor elect, and that said committee be instructed to secure the use of a building suitable for inauguration ceremonies, and to make such other arrangements as the committee may deem necessary, and that the committee be instructed to report at 2 o'clock, P. M., to-morrow.

Senators Smith, Brown of Keokuk, and Keeler were appointed as such committee.

At 11:30 A. M., Senator Arnold moved that the Senate take a recess of fifteen minutes.

The motion prevailed.

The Senate was called to order at 11:45 A. M.

Senator Nichols of Guthrie offered the following resolution:

*Resolved,* That the Senate invite in such order as they may elect, the resident clergymen of the city of Des Moines to open the deliberations of the Senate each morning with prayer.

The motion was adopted.

On motion of Senator Russell of Jones, the Senate adjourned until to-morrow at 10 o'clock.

SENATE CHAMBER.  
DES MOINES, IOWA, January 11, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. J. Talbot.

A committee from the House reported that body organized and ready for business.

The journal of yesterday was read, corrected, and approved.

Senator Arnold from Special Committee, appointed to select a mail-carrier for the General Assembly, submitted the following report:

MR. PRESIDENT—Your Special Committee appointed to act with a similar committee on the part of the House, to select a mail-carrier for this General Assembly, beg leave to report that they have performed that duty and have selected as such mail-carrier, George G. Saylor of Polk county.

DELOS ARNOLD, *Chairman.*

On motion the report was received, adopted, and the committee discharged.

Senator Smith, from Special Committee on Inauguration Ceremonies, submitted the following report:

MR. PRESIDENT—Your Special Committee on Inauguration Ceremonies beg leave to submit the following report from the joint committee:

The inauguration to take place on January 12, 1882, at 2½ o'clock P. M., in Moore's Opera House. The Senate and House to meet in joint convention at 11:30 and adjourn to assemble at Moore's Opera House promptly at 2:30 P. M. After the ceremonies of inauguration the joint convention to repair to the House of Representatives and be dissolved. Adjutant-General Alexander to have charge of the ceremonies. The committee recommend that the Senate and House each appoint a committee to conduct the Governor and Lieutenant-governor elect to the place of inauguration.

HIRAM Y. SMITH, *Chairman of Committee.*

The report was received and ordered placed on file.

Miss Bell Grow and Miss Carrie A. Clark, Postmistress and Assistant Postmistress elect, appeared before the bar of the Senate and took the oath of office.

The following message was received from the House and ordered passed on file.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution without amendment:

Senate resolution relative to inauguration ceremonies.

E. C. HAYNES, *Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution without amendment:

Senate resolution relating to the appointment of Postmistress and Assistant Postmistress of the Nineteenth General Assembly.

E. C. HAYNES, *Clerk.*

The President announced that the hour fixed for the Senate to meet the House in joint convention to canvass the votes for Governor and Lieutenant-governor elect had arrived, and appointed Senators Hutchison and Henderson as tellers on the part of the Senate, and the Senate repaired to the hall of the House of Representatives.

#### JOINT CONVENTION.

Lieutenant-Governor Campbell, President of the Senate, called the joint convention to order at 10:30 A. M., and announced Senators Hutchison of Wapello and Henderson of Linn, as tellers on the part of the Senate.

The Speaker announced Messrs. Webster of Page and Bolter of Harrison as tellers on part of the House.

The roll being called, there were one hundred and forty-one Senators and Representatives present.

The joint convention then proceeded to canvass the votes by counties for Governor and Lieutenant-governor, and proceeded with the canvass until the county of Lucas was reached, when, on motion of Mr. Merten of Delaware, the joint convention took a recess until 2 o'clock P. M.

At 2 o'clock P. M. the joint convention was called to order by Lieutenant-Governor Campbell.

On motion of Mr. Dungan from Lucas the roll was called.

There being no signature of the county auditor to the Lucas county returns, on motion of Mr. Dungan they were received as correct.

On motion of Mr. Evans, of Taylor county, it is ordered that all the votes cast for Sherman, Kinnie, and Clark be counted for Buren R. Sherman, L. G. Kinnie, and D. M. Clark.

The President of the joint convention announced the result of the joint canvass as follows:

The total number of votes cast for Governor was.....	235,206
Buren R. Sherman received.....	135,330
L. G. Kinnie received.....	73,244
D. M. Clark received.....	28,112
Wm. Johnson received.....	454
Scattering.....	66
Total number of votes cast for Lieutenant-governor was.....	235,697
Of which Orlando H. Manning received.....	133,538
J. M. Walker received.....	74,128
James M. Holland received.....	27,695
J. M. Kent received.....	294
Scattering.....	42

Buren R. Sherman, having received a majority of all the votes cast, was declared the duly elected Governor of Iowa for the term of two years and until his successor is elected and qualified.

Orlando H. Manning, having received a majority of all the votes cast, was declared elected Lieutenant-governor for two years and until his successor is elected and qualified.

Mr. Lewis of Mills offered the following resolution, which was adopted:

*Resolved*, That the abstracts of the votes for Governor and Lieu-

tenant-governor, from the several counties, be filed in the office of Secretary of State for preservation and future reference.

Senator Greenlee moved that a committee be appointed to notify the Governor and Lieutenant-governor of their election.

The motion prevailed, and Senator Greenlee, and Messrs. Wolf of Cedar county, and Simpson, of Jackson county, were appointed as such committee.

The following certificates were then signed in the presence of the joint convention:

HALL OF HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 11, 1882. }

This is to certify that upon a canvass in joint convention of the two houses of the General Assembly of the State of Iowa, of the votes cast at the October election, A. D. 1881, for the office of Governor of the State of Iowa, it appeared that Buren R. Sherman received a majority of all the votes cast at said election, for said office, and was therefore declared duly elected to said office, for the term of two years, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 11th day of January, A. D. 1882.

FRANK T. CAMPBELL,

*President of the Senate, and President of the joint convention.*

G. R. STRUBLE,

*Speaker of the House of Representatives.*

ATTEST:

J. G. HUTCHISON,

*Teller of the Senate.*

W. E. WEBSTER,

*Teller of the House of Representatives.*

HALL OF HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 11, 1882. }

This is to certify that upon a canvass in joint convention of the two houses of the General Assembly of the State of Iowa, of the votes cast at the October election, A. D. 1881, for the office of Lieutenant-governor of the State of Iowa, it appeared that Orlando H. Manning received a majority of all the votes cast at said election, for said office, and was therefore declared duly elected to said office, for the term of two years, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 11th day of January, A. D. 1882.

FRANK T. CAMPBELL,

*President of the Senate, and President of the joint convention.*

G. R. STRUBLE,

*Speaker of the House of Representatives.*

ATTEST:

J. G. HUTCHISON,

*Teller of the Senate.*

W. E. WEBSTER,

*Teller of the House.*



On motion, the joint convention dissolved.

At 3:30 P. M., the Senate returned to the Senate Chamber, and was called to order by the President.

The question recurring on the adoption of the committee's report, as submitted by Senator Arnold.

Senator Rothert moved that the committee's report be adopted.

The motion prevailed.

Senator Rothert moved that a committee be appointed, as recommended in the committee's report. Carried.

The President appointed as such committee, Senators Rothert, Harmon, and Baker.

Senator Arnold offered the following resolution:

*Resolved by the Senate, the House concurring,* That when the General Assembly adjourns on Thursday, the 12th inst., it be until Tuesday, the 17th inst. at 2 o'clock, P. M.

Senator Nichols of Muscatine, moved to amend the resolution by striking out the words "Tuesday the 17th inst., at 2 o'clock, P. M.," and insert the words "Monday the 16th inst., at 2 o'clock, P. M."

The question upon the amendment was lost.

The resolution was adopted.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution, in which the concurrence of the Senate is asked:

*Resolved by the House, the Senate concurring,* That the joint committee having in charge the inaugural ceremonies, be instructed to have printed such number of tickets of admission as the place of meeting will accommodate, and that those tickets be distributed *pro rata* to the members of the General Assembly, after providing amply for all who have been honored with special invitations.

E. C. HAYNES, *Chief Clerk.*

House resolution relative to inaugural ceremonies, was taken up and considered.

On motion of Senator Hemenway, the words "except the gallery" were inserted after the words "place of meeting."

The resolution as amended was adopted.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House concurs in the Senate amendment to the concurrent resolution, relative to the printing of tickets and the distribution thereof, upon the occasion of the inaugural ceremonies.

E. C. HAYNES, *Chief Clerk.*

Senator Garber offered the following resolution:

*Resolved,* That a committee of three be appointed to ascertain and report the mileage due the members of the Senate.

The resolution was adopted.

The President appointed as such committee, Senators Garber, Russell of Jones, and Sudlow.

The resolution offered by Senator Tirrill, relative to supplying the senators with the Code of Iowa, was taken up and considered.

Senator Nichols of Guthrie offered the following substitute for the resolution:

*Resolved by the Senate, the House concurring,* That a copy of McClain's or Miller's Annotated Code of Iowa, as may be preferred, and also a copy of the laws of each session of the General Assembly since 1873, be furnished by the Secretary of State to each member of the Nineteenth General Assembly for his use.

Senator Hutchison moved to postpone further consideration of the resolution until next Tuesday.

The motion prevailed.

Senator Hutchison offered the following resolution:

*Resolved,* That the Secretary of State be and he is hereby requested to report to the Senate, at the earliest day practicable, what is the lowest price that will purchase one hundred and fifty copies of McClain's or Miller's Annotated Codes.

The resolution was adopted.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred without amendment in the Senate resolution relative to adjournment.

E. C. HAYNES, *Chief Clerk.*

Senator Cotton moved to adjourn.

The motion prevailed.

At 4:30 P. M. the Senate adjourned until 10 o'clock A. M. to-morrow.

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SENATE CHAMBER,  
DES MOINES, IOWA, January 12, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Thos. J. Keith.

The journal of yesterday was read and approved.

Pending the reading, the following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution, in which the concurrence of the Senate is asked:

Resolution relative to having printed thirty-seven hundred copies of the rules of the Nineteenth General Assembly.

E. C. HAYNES, *Chief Clerk.*

Senator Boling offered the following resolution, which was adopted:

*Resolved,* That the Secretary of State be authorized to issue to the

regular newspaper reporters an amount of stationery for their use not exceeding one dollar per week.

#### HOUSE MESSAGE.

The following House message was, on motion, taken up and considered:

*Resolved by the House, the Senate concurring,* That the Secretary of State be directed to have printed 3,700 copies of the Rules of the Nineteenth General Assembly, with diagrams, vote on Governor, and census of 1880 as to population by counties.

Senator Greenlee moved to amend by striking out the figures "3,700" and inserting "1,500."

Senator Nichols of Muscatine moved to amend the amendment by inserting "2,000" instead of "3,700."

The amendment was not adopted.

The motion moved by Senator Greenlee was lost.

The question recurring upon the adoption of the resolution, the same was adopted.

#### INTRODUCTION OF BILLS.

By leave, Senator Nichols of Muscatine introduced Senate File No. 1, a bill for an act to amend section 890 of the Code, relating to tax penalties.

Read a first and second time and ordered passed on file.

Also, Senate File No. 2, a bill for an act reducing the number of grand jurors.

Read a first and second time and ordered passed on file.

Senator Clark of Page moved that the Senate take a recess of thirty minutes.

The motion prevailed.

At 11:30 o'clock the Senate was called to order by Senator Arnold, President *pro tempore*.

Geo. S. Saylor appeared before the bar of the Senate and took the oath of office as mail carrier.

A committee from the House announced the body ready to receive the Senate in joint convention to inaugurate the Governor and Lieutenant-governor.

Senator Marshall moved that the Senate now repair to the Hall of the House of Representatives.

The motion prevailed.

At 11:40 o'clock the joint convention was called to order by Senator Arnold, President *pro tempore*.

The joint committee appointed to wait upon Buren R. Sherman, the Governor elect, and Orlando H. Manning, the Lieutenant-governor elect, and inform them of their election, reported that they had discharged that duty.

The report was received and the committee discharged.

Senator Smith moved that the joint convention take a recess until 2:30, city time, to meet at Moore's Opera House, in the city of Des Moines, to participate in the ceremony of inaugurating the Governor and Lieutenant-governor.

The motion prevailed.

## AFTERNOON SESSION.

2 O'CLOCK P. M.

The joint convention assembled at Moore's opera-house at 2:30 P. M., and was called to order by the President.

Music by the band.

Prayer by Bishop Hurst.

Music.

The oath of office was then administered to the Governor elect Buren R. Sherman, and Lieutenant-governor elect Orlando H. Manning, by Wm. H. Seevers, Chief Justice of the Supreme Court.

Governor Sherman then delivered his inaugural address.

Music.

Senator Arnold moved that the convention now take a recess of thirty minutes to meet in the Hall of the House of Representatives.

The motion prevailed.

At 4:40 P. M. the convention was called to order by the President, and on motion of Senator Bills was dissolved.

At 4:45 P. M. the Senate was called to order by the President.

Senator Rothert moved that a committee of two be appointed to wait upon the Lieutenant-governor and notify him that the Senate is now ready to receive him as President of the Senate, and the chair named as such committee Senators Rothert and Hunt.

President Campbell, upon retiring, addressed the Senate as follows: *Gentlemen of the Senate*—In severing my connections with this body, with which I have been so long and pleasantly associated, a parting word may not be out of harmony with the place and the hour.

Twelve years ago I took the obligation and assumed the duties of a senator on this floor; eight years of that time I was actively engaged in legislative duties, giving my energies and whatever ability I possess, to the State, endeavoring to legislate for the welfare of our great commonwealth, and as I review the legal enactments of that period, I am conscious that my votes and influence, in a great measure, have been in the line of duty. As the presiding officer of this body for four years, my relations have been of a most pleasant (and may I not hope, profitable) character.

Since my sojourn here, the whirligig of time has marked many changes—Iowa has stepped forward in the race of States, from the rear rank to a place among the leading States of our nation, developing in a wonderful degree—the seat of population and power has been transferred from the southern and eastern border to the now populous central, western, and northwest sections of the State, which jointly claim increased representation and legislative power in these halls. The great charitable institutions that so grandly attest the great heart of our great people were then in embryo—your stately capitol, which stands and will stand as a monument of our wonderful development, was not yet conceived in the brain of the architect; and our educational, industrial, and other interests have kept step with the onward march of our wonderful State. In this period six General Assemblies have come and gone, their work is done, their members scattered as the wind. Of the senators who sat in this chamber, and with whom I

was associated in 1870, but two are here to-day, the honored veteran from Fayette, and the highly respected senator from Ringgold. Some are filling places of honor and trust in the legislative councils and other departments of the nation; some are occupying honored positions in the States and Territories of the west, others have cast their fortunes on the golden shores of the Pacific; death has claimed some of the noblest, and even since we last met as the Eighteenth General Assembly, two of our number, the Hon. Thomas Hanna, of the 20th District and Hon. W. P. Gaylord of the 46th District, have "joined the General Assembly on the other shore," leaving behind examples in public and private life that we revere and should imitate, and precious memories that shall ever be cherished.

As your presiding officer, I have been constantly under obligations to honorable senators for that uniform courtesy and kindness that have been extended toward me, and I thank you one and all for those civilities that have so aided me in discharging the duties of my position. Parliamentary rulings have necessarily been prompt, and in many instances may have seemed harsh, yet it has ever been the aim of your presiding officer to carefully guard the rights of every member, reciprocate the courtesy extended toward myself, and yet facilitate the business of this body. In retiring from this honorable position I commit the power and responsibilities entrusted to me to good hands, and wishing you a pleasant and profitable session, and a cordial good-bye, I desire to present you my worthy successor and your honored Lieutenant-governor, Orlando H. Manning.

Lieutenant-Governor O. H. Manning, upon taking the chair as President of the Senate, delivered an inaugural address.

Senator Larrabee offered the following resolution, which was unanimously adopted by a rising vote:

*Resolved*, That we hereby tender our sincere and heartfelt thanks to Lieutenant-Governor F. T. Campbell for the able, conscientious, and impartial manner in which he has performed his official duties. In letter and spirit we say, well done good and faithful servant.

The following resolution, introduced by Senator Hartshorn, was also adopted unanimously:

*Resolved*, That we tender our heartfelt thanks to Hon. Delos Arnold, our retiring President *pro tempore*, for the very faithful and impartial manner in which he has presided over our deliberations.

Senator Russell of Jones moved that the Senate do now adjourn.

The motion prevailed, and the Senate adjourned until 2 o'clock p. m. Tuesday, the 17th inst.



SENATE CHAMBER. }  
DES MOINES, IOWA, January 17, 1882. }

The Senate met pursuant to adjournment and was called to order by President Manning.

Prayer by Rev. A. L. Frisbie.

The journal of last day's proceedings was read and approved.

By leave, Senator Tirrill, from the Committee on Credentials, submitted the following report:

MR. PRESIDENT—Your Committee on Credentials beg leave to submit the following report: That they have examined the credentials of Benton J. Hall, of the Ninth Senatorial District, and find them correct.

R. W. TIRRILL, *Chairman*.

On motion of Senator Arnold the report was received and adopted.

Senator Hall appeared before the bar of the Senate and the President administered to him the oath of office.

The President announced the following list of Standing Committees, which was read.

#### STANDING COMMITTEES.

*Ways and Means*—Senators Larrabee, Hebard, Harmon, Russell of Jones, Greenlee, Garber, Arnold, Gillett, Graves, Baker, Whaley, Parker, Nichols of Muscatine, and Prizer.

*Judiciary*—Senators Russell of Greene, Wright, Nichols of Guthrie, Nichols of Benton, Hemenway, Johnson, Bills, Hartshorn, Harmon, Hall, Hutchison, Robinson, Smith, Kamrar, Keller, Cotton, Wilson, Clark of Page, Brown of Keokuk, Brown of Van Buren, and Russell of Jones.

*Federal Relations*—Senators Wilson, Nielander, Prizer, Henderson, Poyneer, Sudlow, and Mitchell.

*Constitutional Amendments*—Senators Johnson, Harmon Dashiell, Clark of Wayne, Abraham, Marshall, Tirrill, Bills, and Hall.

*Retrenchment*—Senators Bills, Russell of Jones, Smith, Nichols of Muscatine, Hall, Clark of Wayne, Keller, Prizer, and Hunt.

*Appropriations*—Senators Arnold, Larrabee, Boling, Hebard, Hartshorn, Hutchison, Henderson, Wilson, Cotton, and Logan.

*Normal Schools*—Senators Harmon, Wilson, Robinson, Arnold, and Hemenway.

*Schools*—Senators Hartshorn, Harmon, Hemenway, Nielander, Arnold, Tirrill, Rothert, and Patrick.

*Agriculture*—Senators Russell of Jones, Garber, Hebard, Poyneer, Nichols of Muscatine, Marshall, Logan, Abraham, Parker, Patrick, Hunt, Sudlow, Clark of Wayne, Wall, Nichols of Guthrie, and Russell of Greene.

*County and Township Organization*—Senators Nichols of Guthrie, Boling, Clark of Wayne, Garber, Robinson, Poyneer, Brown of Van Buren, and Keller.

*Railways*—Senators Rothert, Hartshorn, Nichols of Guthrie, He-

bard, Graves, Shrader, Arnold, Poyneer, Baker, Clark of Page, Kamrar, Henderson, and Robinson.

*State University*—Senators Hemenway, Rothert, Nichols of Benton, Brown of Keokuk, Wright, Bills, Hall, and Shrader.

*Military*—Senators Whaley, Nichols of Guthrie, Shrader, Greenlee, and Wall.

*Elections*—Senators Hutchison, Cotton, Keller, Dashiell, Kamrar, and Brown of Keokuk.

*Claims*—Senators Hebard, Hall, Prizer, Nielander, Nichols of Muscatine, and Mitchell.

*Banks*—Senators Prizer, Baker, Gillett, Graves and Larrabee.

*Commerce*—Senators Nielander, Mitchell, Nichols of Muscatine, Logan, and Wright.

*Public Buildings*—Senators Boling, Smith, Henderson, Hutchison, and Prizer.

*Municipal Corporations*—Senators Graves, Wright, Rothert, Johnson, Nichols of Benton, Bills, Smith, Shrader, Hutchison, Henderson, and Hall.

*Manufactures*—Senators Nichols of Muscatine, Patrick, and Parker.

*Printing*—Senators Brown of Van Buren, Russell of Greene, Gillett, and Johnson.

*Public Lands*—Senators Kamrar, Clark of Page, and Gillett.

*Internal Improvements*—Senators Abraham, Hunt, and Clark of Wayne.

*Highways*—Senators Garber, Kamrar, Logan, Poyneer, Nichols of Guthrie, Wall, Parker, Russell of Greene, Robinson, and Hartshorn.

*State Library*—Senators Cotton, Brown of Keokuk, and Clark of Page.

*Engrossed Bills*—Senators Brown of Keokuk and Brown of Van Buren.

*Enrolled Bills*—Senators Clark of Page and Clark of Wayne.

*Judicial Districts*—Senators Smith, Cotton, Harmon, Dashiell, Brown of Keokuk, Brown of Van Buren, Prizer, Patrick, Abraham, Nichols of Muscatine, Greenlee, Graves, and Garber.

*Congressional Districts*—Senators Wright, Nichols of Guthrie, Gillett, Larrabee, Nichols of Benton, Boling, Tirrill, Russell of Jones, Johnson, Russell of Greene, Shrader, Clark of Page, Hemenway, Marshall, Wilson, Hutchison, Bills, and Rothert.

*Senatorial Districts*—Senators Gillett, Keller, Wilson, Hartshorn, Poyneer, Parker, Kamrar, Hebard, Whaley, and Robinson.

*Representative Districts*—Senators Logan, Sudlow, Hunt, Baker, Arnold, Nielander, and Russell of Greene.

*Hospitals for Insane*—Senators Shrader, Dashiell, Abraham, Harmon, and Mitchell.

*Institution for the Deaf and Dumb*—Senators Keller, Rothert, Mitchell, and Wright.

*College for the Blind*—Senators Patrick, Henderson, Poyneer, and Nichols of Benton.

*Orphans' Home*—Senators Sudlow, Gillett, Prizer, and Bills.

*Penitentiary*—Senators Tirrill, Cotton, Smith, Hunt, Russell of Jones, and Rothert.

*Reform Schools*—Senators Marshall, Graves, Greenlee, Johnson, Kamrar, and Smith.

*Agricultural College*—Senators Poyneer, Logan, Patrick, Nichols of Muscatine, Sudlow, and Abraham.

*Horticulture and Forestry*—Senators Greenlee, Garber, and Wall.

*Suppression of Intemperance*—Senators Dashiell, Abraham, Marshall, Wall, Arnold, Sudlow, Nielander, Tirrill, Prizer, and Mitchell.

*Insurance*—Senators Nichols of Benton, Smith, Henderson, Hemenway, Mitchell, Baker, Whaley, Tirrill, and Graves.

*Compensation of Public Officers*—Senators Robinson, Harmon, Boring, Nielander, Greenlee, Abraham, and Patrick.

*Fish and Game*—Senators Parker, Sudlow, and Tirrill.

*Asylum for Feeble-Minded Children*—Senators Hunt, Larrabee, Hebard, and Brown of Van Buren.

*Medicine, Surgery, and Hygiene*—Senators Baker, Dashiell, Shradder, and Brown of Keokuk.

*Rules*—Senators Hall, Larrabee, Arnold, and Rothert.

Senator Gillett requested leave of absence for Senator Johnson.

The request was granted.

The absence of Senators Harmon, Kamrar, Wright, and Henderson was also excused.

#### PETITIONS.

By leave, Senator Rothert presented a petition from citizens of Lee county, praying for the passage of an act to suppress the circulation and sending of obscene literature, pamphlets, engravings, pictures, cards, and articles of indecent and immoral use.

The petition was read and referred to the Committee on Judiciary.

#### INTRODUCTION OF BILLS.

Senator Rothert introduced Senate File No. 3, a bill for an act to suppress the circulation and vending of obscene literature and articles of indecent and immoral use, and to confiscate such property used, or designed to be, in the manufacture of such articles.

Read a first and second time, considered, ordered printed, and referred to the Judiciary Committee.

Senator Arnold offered the following concurrent resolution:

*Resolved by the Senate, the House concurring,* That the General Assembly will meet in joint convention in the Hall of the House, at 11 o'clock A. M., on Wednesday, the 18th inst., to elect Wardens of the Penitentiary at Fort Madison, the Additional Penitentiary at Anamosa, a State Printer, and a State Binder.

Also, will meet in joint convention, at 12 o'clock M., on the same day, to compare the journals of the two houses and to declare the result of the vote for a United States Senator for six years from the fourth day of March, 1883.

Also, a United States Senator to fill the vacancy occasioned by the resignation of Hon. S. J. Kirkwood.

Senator Hall moved that the consideration of the resolution be postponed until after the election of United States Senators by this body.

The motion prevailed.

Senator Larrabee moved that the Senate now proceed to the election of an United States Senator for the long term.

The motion prevailed.

The roll was then called, with the following result:

The whole number of votes cast was .....	38
Of which James F. Wilson received.....	36
Of which L. G. Kinnie received.....	1
Of which D. P. Stubbs received.....	2

Those voting for James F. Wilson were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Greenlee, Hartshorn, Hebard, Hemenway, Hunt, Hutchison, Keller, Larrabee, Logan, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, and Wilson—36.

Those voting for G. S. Kinnie were:

Senator Mitchell—1.

Those voting for D. P. Stubbs were:

Senators Clark of Wayne and Wall—2.

Absent or not voting were:

Senators Graves, Hall, Harmon, Henderson, Johnson, Kamrar, Marshall, Nielander, Russell of Greene, Whaley, and Wright—12.

Senator Hartshorn moved that the Senate now proceed to the election of a United States Senator to fill the vacancy occasioned by the resignation of Samuel J. Kirkwood.

The motion prevailed.

The roll was called with the following result:

The whole number of votes cast was.....	39
Of which J. W. McDill received.....	36
Of which Daniel Campbell received.....	2
Of which M. M. Ham received.....	1

Those voting for James W. McDill were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Greenlee, Hartshorn, Hebard, Hemenway, Hunt, Hutchison, Keller, Larrabee, Logan, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, and Wilson—36.

Those voting for Daniel Campbell were:

Senators Clark of Wayne and Wall—2.

Those voting for M. M. Ham were:

Senator Mitchell—1.

Absent or not voting:

Senators Graves, Hall, Harmon, Henderson, Johnson, Kamrar, Marshall, Whaley, Nielander, Wright, and Russell of Greene—11.

The resolution offered by Senator Arnold relative to meeting the House in joint convention, to elect State officers and compare journals, and announce the result as to the election of United States Senators, was taken up, considered, and adopted.

Senator Gillett offered the following resolution, which was read, and on motion referred to the Committee on Rules:

*Resolved*, That the following be added as one of the standing rules of the Senate:

28. No unprinted bill shall be considered except by unanimous consent.

The President submitted the following communication, which was read and passed on file:

DES MOINES, January 17, 1882.

*To the Honorable Senate*—I would respectfully report that I have received from the publishers propositions to furnish Annotated Codes of Iowa, as follows:

McClain's, in either one or two volumes, \$7.

Miller's, in either one or two volumes, \$7.

All of which is respectfully submitted.

J. A. T. HULL, *Secretary of State*.

Senate File No. 1 was taken up, and on motion of Senator Nichols of Muscatine was referred to the Committee on Ways and Means.

Senate File No. 2 was taken up and referred the Judiciary Committee.

The special order relative to furnishing members with Annotated Code, was, on motion of Senator Tirrill, taken up and considered.

The question being upon the adoption of the substitute for the resolution which was offered by Senator Nichols of Guthrie.

The substitute was adopted.

The resolution as amended was adopted.

#### INTRODUCTION OF BILL.

Senator Smith introduced Senate File No. 4, a bill for an act appropriating money to defray expenses of inaugural ceremonies.

Read first and second time.

On motion the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hartshorn, Hebard, Hemenway, Hunt, Hutchison, Keller, Larrabee, Logan, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Rother, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, and Wilson—40.

Absent or not voting:

Senators Hall, Harmon, Henderson, Johnson, Kamrar, Marshall, Nielander, Russell of Greene, Whaley, and Wright—10.

So the bill passed, and the title was agreed to.

On motion of Senator Wilson, the Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER,  
DES MOINES, IOWA, January 18, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer was offered by Rev. E. K. Young.

The journal of yesterday was read and approved.

Pending the reading, the following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed Senate resolution relative to annotated Codes with the following amendment, in which the concurrence of the Senate is asked: Add after the word "Senator" the words "and each Representative."

Also, has passed the following: Joint resolution relating to the death of President James A. Garfield.

In which the concurrence of the Senate is asked.

E. C. HAYNES, *Clerk*.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following without amendment:

Senate File No. 4, an act appropriating money to defray expenses of inauguration ceremonies.

Also, the House has concurred in Senate concurrent resolution relative to meeting the House in joint convention to elect State officers and compare the journals of the two houses on the election of United States Senators.

E. C. HAYNES, *Clerk*.

Senators Whaley, Johnson, Kamrar, and Marshall each requested that the Senate journal to show that each of them, if they had been present on yesterday, would have voted for James F. Wilson for United States Senator for the long term, and for James W. McDill for United States Senator for the short term.

So ordered as a part of the record.

Senator Rothert requested that Senator Graves be excused until tomorrow. Granted.

#### INTRODUCTION OF BILLS.

By Senator Nichols of Muscatine, Senate File No. 5, a bill for an act to amend section 832 of the Code relating to the duties of county boards of equalization.

Read a first and second time and referred to the Committee on Ways and Means.

Also, Senate File No. 6, a bill for an act to establish the Iowa State Department of Agricultural and Industrial Arts.

Read a first and second time, ordered printed, and referred to the Committee on Agriculture.

By Senator Greenlee, Senate File No. 7, a bill for an act to amend sections 8 and 9, chapter 75, laws of the Eighteenth General Assembly.

Read a first and second time and referred to the Committee on Suppression of Intemperance.

By Senator Hutchison, Senate File No. 8, bill for an act to amend section 3811, and to repeal part of section 3814, of the Code of 1873, defining a day's service for jurors and talesmen, and abolishing additional compensation to expert witnesses.

Read a first and second time and referred to the Committee on Judiciary.

#### RESOLUTIONS.

Senator Clark of Page offered the following joint resolution and memorial, which was ordered printed and referred to the Committee on Public Lands.

Joint resolution and memorial in relation to the lands granted to the State of Iowa for the construction of a railroad from Sioux City to the Minnesota line.

WHEREAS, By act of Congress of May 12, 1864, certain lands described in said act were granted to this State in trust for the construction of a railroad from Sioux City to the south line of Minnesota, and which grant was accepted by the State of Iowa, by act of the General Assembly of this State, which took effect May 20, 1866; and

WHEREAS, The said act required the completion of said railroad within ten years from the acceptance of said grant by this State; and

WHEREAS, This State conferred the lands aforesaid upon the Sioux City & St. Paul Railroad Company; and

WHEREAS, Said Sioux City & St. Paul Railroad Company have failed to build the road within the limitation established by Congress in its act aforesaid, and said company having taken no steps to build said road, as required by the terms of said grant; and

WHEREAS, A railroad is now in operation from Sioux City to said south line of Minnesota, constructed without reference to said grant, and the object of said grant being now accomplished, and there being about 90,000 acres of said land undisposed of, and the purpose of said trust already accomplished; therefore,

*Be it resolved by the General Assembly of the State of Iowa, That our Senators and Representatives in Congress be and are hereby requested and instructed to use all lawful means in their power to cause the United States government to resume the title to all the said remaining lands embraced in its said grant, and cause the same to be opened up to settlement and placed upon the market under the general statutes of the United States in relation to the disposition of its public lands.*

*Resolved, That the Secretary of this State be and is hereby required to furnish each member of Congress from this State and each Senator with a copy hereof.*

Senator Greenlee offered the following resolution, which was, on motion of Senator Hemenway, referred to the Committee on Ways and Means.

*Resolved by the Senate, the House concurring,* That there be appointed committees to visit the several State institutions, each of said committees to be composed of three members, one from the Senate, and two from the House, said committees to report to the General Assembly on or before the first day of February next. They shall examine and include in their report:

1. Whether the appropriations made by the last General Assembly have been wisely and economically expended.

2. Whether they have been expended for the objects appropriated.

3. Whether chapter 67 of the acts of the Seventeenth General Assembly has been complied with, in not contracting indebtedness in excess of the appropriations.

4. Whether there has been any diversion of any money from the specific purpose for which it was drawn from the State Treasury.

5. Said committee shall also report the names and number of person employed by the several institutions, for what purpose employed, and at what salary; also, whether any of the employed receive, or have received anything in addition to the salary, in the way of board, rooms, lights, fuel or clothing, or anything else, at the expense of the State.

Senator Hall offered the following resolution:

*Resolved by the Senate, the House concurring,* That when the Senate and House adjourn on Saturday, January 21, 1882, it be to convene on Tuesday, January 31, 1882; and that the several visiting committees when appointed are hereby directed to visit the several State institutions during said adjournment.

On motion of Senator Arnold, referred to the Committee on Ways and Means.

By leave, Senator Russell of Jones introduced Senate File No. 9, a bill for an act in relation to publishing legal notices.

Read a first and second time and referred to the Committee on Judiciary.

The following communication was read from Hon. Hoyt Sherman, chairman of the Committee on Arrangements, tendering on behalf of said committee a cordial invitation to the honorable members and the officers of the State Senate to be present and take part in a public reception to be given to the members of the Constitutional Convention of 1857, at Moore's opera-house, on Thursday afternoon next, beginning at half-past one o'clock.

Senator Hartshorn moved to take up

#### HOUSE MESSAGES.

Carried.

Senator Tirrill moved that the Senate concur in the House amendment relative to furnishing Annotated Code and session laws to members.

The motion prevailed.

The House concurrent resolution relative to the death of President James A. Garfield was read, the rule was suspended, and the resolution was unanimously adopted by a rising vote.

A committee from the House announced that body ready to meet the Senate in joint convention.



Senator Arnold was appointed teller on the part of the Senate, and on motion of Senator Greenlee the Senate repaired to the Hall of the House of Representatives.

At 11:15 o'clock the joint convention was called to order by President Manning.

Thomas C. McCall of Story county, was appointed teller on the part of the House.

On the election of Warden of the Penitentiary at Fort Madison, the roll was called with the following result:

Whole number of votes cast.....	132
Necessary to a choice.....	67
Of which Mr. E. C. McMillan received.....	110
Of which Mr. Jackson received.....	22

Those voting for Mr. McMillan, were:

Messrs. Aaker, Abraham, Aldrich, Anderson, Arnold, Babcock, Baker, Barrett, Baughman, Benson, Bills, Bird, Blain, Boling, Bosworth, Bridges, Brown of Butler, Brown of Keokuk, Brown of Van Buren, Caldwell, Calkins, Clark of Page, Cook, Cotton, Cr  w, Dashiell, Davidson, Dickins, Donahay, Dotson, Downing, Duncan, Dungan, Earle, Electric, Epperson, Evans, Flint, Garber, Greenlee, Haines, Hall of Clarke, Hanchett, Hart, Hartshorn, Havens, Hemenway, Holmes, Hubbell, Hunt, Hutchison, Johns, Johnson of Mahaska, Kamrar, Kelly, Lemert, Lewis, Logan, McCall, McCulloch, McManus, Marshall, Maxwell, Merten, Mueller, Muncey, Nichols of Muscatine, Nielander, Parker, Patrick, Payne, Pearson, Pickler, Pitcher, Platter, Powell, Poyneer, Prizer, Reynolds, Robb, Robinson, Rothert, Russell of Greene, Russell, of Jones, Ryder, St. Clair, Seiffert, Shearer, Shrader, Smith, Spencer, Stephens, Stout, Struble, Sudlow, Taylor, Tilton, Tirrill, Tool, Tucker, Wall, Warren, Welstead, Whaley, Williamson, Wilson of Clarke, Wolf of Cedar, Wright of Pottawattamie, and Wright of Webster—110.

Those voting for Mr. Jackson, were:

Messrs. Bolter, Bowdish, Clark of Wayne, Danforth, Ehl, Henderson of Fremont, Kuhlemeier, Lambert, Lucas, Lynch, McCully, Mitchell, Morgan, O'Brien, Rorick, Schmidt, Simpson, Snook, Upton, Van Staden, Wilson of Kossuth, and Wolfe of Johnson—22.

Absent or not voting—22.

Mr. McMillan having received a majority of all the votes cast for the office of Warden for the State Penitentiary, at Fort Madison, was declared duly elected for the term of two years, from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

The following certificate was signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, {  
DES MOINES, IOWA, January 18, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 18th day of January, A. D. 1882, for the purpose of electing a Warden for the State Penitentiary, at Fort Madison, E. C. McMillan,

having received a majority of all the votes cast for said office, was declared duly elected Warden of said penitentiary for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of January, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

DELOS ARNOLD,  
*Teller of the Senate.*

THOMAS C. MCCALL,  
*Teller of the House of Representatives.*

Senator Wright moved that we now proceed to compare the journal of the Senate with the journal of the House on the election of United States Senator.

The motion prevailed.

It being the hour of 12 o'clock meridian of the day following the second Tuesday next after the organization of the present legislature, and the two houses having convened in joint assembly, the journal of each house was read relative to the election of United States Senator.

It appearing from said journals that James F. Wilson had received a majority of all the votes cast in each house for the office of Senator in Congress for the full term of six years, commencing on the 4th day March, 1883, he was declared duly elected as such Senator.

It appearing from said journals that James W. McDill had received a majority of all the votes cast in each house for the office of Senator in Congress for the term to expire on the 4th day of March, 1883, he was declared duly elected as such Senator.

Senator Wright offered the following resolution, which was adopted:

*Resolved*, That James F. Wilson be declared the Senator elect from the State of Iowa to the Congress of the United States, for the term commencing the 4th of March, 1883; and that James W. McDill be declared the Senator elect from this State to the Congress of the United States, to fill the vacancy caused by the resignation of Samuel J. Kirkwood.

The joint convention proceeded to elect a Warden for the Penitentiary at Anamosa.

The roll was called, with the following result:

Whole number of votes cast.....	130
Necessary to a choice .....	66.
Of which A. E. Martin received.....	109
And Daniel F. Farr received.....	21

Those voting for A. E. Martin were:

Messrs. Aaker, Abraham, Aldrich, Anderson, Arnold, Barrett, Babcock, Baker, Barrett, Baughman, Benson, Bills, Bird, Bishop, Blain, Boling, Bosworth, Bridges, Brown of Butler, Brown of Keokuk, Brown

of Van Buren, Caldwell, Calkins, Clark of Page, Clark of Wayne, Cook, Cotton, Crew, Dashiell, Daugherty, Davidson, Dickins, Donahey, Dotson, Downing, Duncan, Dungan, Elerick, Epperson, Evans, Flint, Garber, Gillett, Graves, Greenlee, Haines, Hall of Clarke, Hanchett, Hart, Hartshorn, Havens, Hemenway, Holmes, Hubbell, Hunt, Hutchison, Johns, Johnson of Mahaska, Kamrar, Keller, Kelly, Lambert, Lemert, Lewis, Logan, McCall, McCulloch, McDonald, McManus, Marshall, Merten, Mueller, Muncey, Nichols of Muscatine, Parker, Patrick, Payne, Pearson, Pickler, Pitcher, Platter, Poyneer, Prizer, Reynolds, Robb, Robinson, Rothert, Russell of Greene, Russell of Jones, Ryder, St. Clair, Seiffert, Shearer, Shrader, Smith, Spencer, Stephens, Stout, Struble, Sudlow, Taylor, Tilton, Tirrill, Tool, Tucker, Wall, Warren, Welstead, Whaley, Williamson, Wilson of Clarke, Wolf of Cedar, Wright of Pottawattamie, and Wright of Webster.

Those voting for Daniel F. Parr were:

Messrs. Bolter, Bowdish, Danforth, Ehl, Henderson of Fremont, Kuhlemeier, Lucas, Lynch, McCully, Maxwell, Mitchell, Morgan, O'Brien, Rorick, Schmidt, Simpson, Snook, Upton, Van Staden, Wilson of Kossuth, and Wolfe of Johnson.

Those not voting were:

Messrs. Clark of Wayne, Daugherty, Earle, Gillett, Graves, Hall of Des Moines, Harmon, Hebard, Henderson of Linn, Hubbard, Irwin, Johnson of Jackson, Larrabee, McGregor, Nichols of Benton, Nichols of Guthrie, Nielander, Powell, Webster and Wicks.

A. E. Martin, having received a majority of all the votes cast, was declared duly elected Warden of the Penitentiary at Anamosa for the term of two years after the expiration of term of the present incumbent and until his successor is elected and qualified.

The following certificate was signed in the presence of the joint convention:

HALL OF HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 18, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 18th day of January, A. D. 1882, for the purpose of electing a Warden for State Penitentiary at Anamosa, A. E. Martin, having received a majority of all the votes cast for said office, was declared duly elected Warden of said penitentiary for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of January, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STREUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

DELOS ARNOLD,  
*Teller of the Senate.*

THOMAS C. MCCALL,  
*Teller of the House of Representatives.*

Senator Clark of Wayne moved that the certificates of election of James F. Wilson and J. W. McDill be read.

The motion prevailed, and the following was read:

STATE OF IOWA, }  
HALL OF THE HOUSE OF REPRESENTATIVES. }

This is to certify, that at a meeting of the two houses of the General Assembly of the State of Iowa, in joint convention, held on Wednesday, the 8th day of January, A. D. 1882, at noon, a majority of all the members of each house being present, it was found, upon examination of the journals of the respective houses, that upon the day before, the same being the second Tuesday after the meeting and temporary organization of the General Assembly, each house had, by an open *viva voce* vote of the members present, named James F. Wilson, of Jefferson county, for Senator in Congress for the State of Iowa, for the term commencing the 4th day of March, 1883. Whereupon said joint convention formally declared said James F. Wilson, of Jefferson county, duly elected Senator to represent the State of Iowa in the Congress of the United States, for the term of six years, beginning on the 4th day of March, 1883.

O. H. MANNING,

*President of the Senate, and President of the joint convention.*

G. R. STRUBLE,

*Speaker of the House of Representatives.*

E. C. HAYNES,

*Clerk of the House of Representatives and of Joint Convention.*

FRANK D. JACKSON,

*Secretary of the Senate.*

ATTEST:

DELOS ARNOLD,

*Teller on part of the Senate.*

THOMAS C. MCCALL,

*Teller on part of the House.*

STATE OF IOWA, }  
HALL OF THE HOUSE OF REPRESENTATIVES. }

This is to certify, that at a meeting of the two houses of the General Assembly of the State of Iowa, in joint convention, held upon Wednesday, the 18th day of January, A. D. 1882, at noon, a majority of all the members of each house being present, it was found, upon examination of the journals of the respective houses, that upon the day before, the same being the second Tuesday after the meeting and temporary organization of the General Assembly, each house had, by an open *viva voce* vote of the members present, named James W. McDill, of the county of Union, for Senator in Congress from the State of Iowa, to fill a vacancy occasioned by the resignation of Samuel J. Kirkwood. Whereupon said joint convention formally declared said James W. McDill, of said county of Union, duly elected Senator to represent the State of Iowa in the Congress of the United States for

the remainder of the term, ending the 3d day of March, A. D. 1883, in the place of said Samuel J. Kirkwood.

In testimony whereof, witness the hands of the President and Secretary of the Senate, and the Speaker and Clerk of the House of Representatives, this 18th day of January, A. D. 1882.

O. H. MANNING,  
*President of the Senate and of the Joint Convention.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

FRANK D. JACKSON,  
*Secretary of Senate.*

E. C. HAYNES,  
*Clerk of the House of Representatives.*

ATTEST:

DELOS ARNOLD,  
*Teller on part of the Senate.*

THOMAS C. MCCALL,  
*Teller on part of the House of Representatives.*

The joint convention then proceeded to call the roll on the election of State Printer, with the following result:

Whole number of votes cast.....	126
Necessary to a choice.....	64
Of which George E. Roberts received.....	104
Of which H. A. Pike received.....	22

Those voting for George E. Roberts were:

Messrs. Aaker, Abraham, Aldrich, Anderson, Arnold, Babcock, Baker, Barrett, Baughman, Benson, Bills, Bird, Blain, Boling, Bosworth, Bridges, Brown of Butler, Brown of Keokuk, Brown of Van Buren, Caldwell, Calkins, Clark of Page, Cook, Cotton, Crew, Dashiell, Davidson, Dickens, Donahey, Dotson, Downing, Duncan, Dungan, Elerick, Epperson, Evans, Garber, Gillett, Greenlee, Haines, Hall of Clarke, Hanchett, Hart, Hartshorn, Havens, Hemenway, Henderson of Fremont, Holmes, Hubbell, Hunt, Hutchinson, Johnson of Mahaska, Karrar, Keller, Lambert, Lemert, Lewis, Logan, McCall, McCulloch, McManus, Marshall, Merzen, Mueller, Muncey, Nichols of Muscatine, Parker, Patrick, Payne, Pearson, Pickler, Pitcher, Platter, Powell, Poyneer, Prizer, Reynolds, Robb, Robinson, Rothert, Russell of Greene, Russell of Jones, Ryder, St. Clair, Seiffert, Shearer, Shrader, Smith, Spencer, Stephens, Stout, Struble, Sudlow, Taylor, Tilton, Tirrill, Tool, Tucker, Warren, Welstead, Whaley, Williamson, Wilson of Clarke, Wolf of Cedar, Wright of Pottawattamie, and Wright of Webster.

Those voting for H. A. Pike, of Palo Alto county, were:

Messrs. Bolter, Bowdish, Clark of Wayne, Danforth, Ehl, Henderson of Fremont, Kelly, Kuhlemeier, Lucas, Lynch, McCully, Mitchell, Morgan, O'Brien, Rorick, Schmidt, Simpson, Snook, Upton, Van Staden, Wilson of Kossuth, and Wolfe of Johnson.

Absent or not voting:

Messrs. Daugherty, Earle, Flint, Graves, Hall of Des Moines, Harmon, Hebard, Henderson of Linn, Hubbard, Irwin, Johns, Johnson of Jackson,

Larrabee, McDonald, McGregor, Maxwell, Nichols of Benton, Nichols of Guthrie, Nielander, Wall, Webster, and Wicks.

George E. Roberts having received a majority of all the votes cast, was declared duly elected State Printer for the term of two years from and after expiration of the present incumbent, and until his successor is elected and qualified.

The following certificate was then signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, {  
DES MOINES, IOWA, January 18, 1882. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday the 18th day of January, A. D. 1882, for the purpose electing a State Printer, George E. Roberts, having received a majority of all the votes cast for said office, was declared duly elected State printer for the term of two years from and after expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of January, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

DELOS ARNOLD,  
*Teller of the Senate.*

THOMAS C. MCCALL,  
*Teller of the House of Representatives.*

Upon the election of State Binder, the roll was called with the following result:

The whole number of votes cast.....	124
Necessary to a choice.....	63
Of which Matt Parrott received.....	102
Of which James Lee of Johnson county received.....	22

Matt Parrott, having received a majority of all the votes cast for the office of State Binder, was declared duly elected to said office for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Those voting for Matt Parrott were:

Messrs. Aaker, Abraham, Aldrich, Anderson, Arnold, Babcock, Baker, Barrett, Baughman, Benson, Bills, Bird, Blain, Boling, Bosworth, Bridges, Brown of Butler, Brown of Van Buren, Caldwell, Calkins, Clark of Page, Cook, Cotton, Crew, Dashiell, Davidson, Dickins, Donahay, Dotson, Duncan, Dungan, Elerick, Epperson, Evans, Flint, Garber, Gillett, Haines, Hall of Clarke, Hanchett, Hart, Hartshorn, Havens, Hemenway, Holmes, Hubbell, Hunt, Hutchison, Johns, Johnson of Mahaska, Kamrar, Keller, Lemert, Lewis, Logan, McCall, McCulloch, McDonald,

McManus, Marshall, Maxwell, Merten, Mueller, Muncey, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Payne, Pearson, Pickler, Pitcher, Platter, Powell, Poyneer, Prizer, Reynolds, Robb, Robinson, Rothert, Ryder, St. Clair, Seiffert, Shearer, Shrader, Smith, Spencer, Stephens, Stout, Struble, Sudlow, Taylor, Tilton, Tirrill, Tool, Tucker, Warren, Welstead, Whaley, Williamson, Wilson of Clarke, and Wright of Webster—102.

Those voting for James Lee were:

Messrs. Bolter, Bowdish, Danforth, Ehl, Henderson of Fremont, Kelly, Kuhlemeier, Lambert, Lucas, Lynch, McCully, Mitchell, Morgan, O'Brien, Rorick, Schmidt, Simpson, Snook, Upton, Van Staden, Wilson of Kossuth, and Wolfe of Johnson—22.

Absent or not voting:

Messrs. Bishop, Brown of Keokuk, Clark of Wayne, Daugherty, Downing, Earle, Graves, Greenlee, Hall of Des Moines, Harmon, Hebard, Henderson of Linn, Hubbard, Irwin, Johnson of Jackson, Larrabee, McGregor, Nichols of Benton, Nielander, Russell of Greene, Russell of Jones, Wall, Webster, Wicks, Wolf of Cedar, and Wright of Pottawattamie.

The following certificate was signed in the presence of the joint convention.

HALL OF THE HOUSE OF REPRESENTATIVES, {  
DES MOINES, IOWA, January 18, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 18th day of January, A. D. 1882, for the purpose of electing a State Binder, Matt Parrott, having received a majority of all the votes cast for said office, was declared duly elected State Binder for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of January, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*  
G. R. STREUBLE,

*Speaker of the House of Representatives.*

ATTEST:

DELOS ARNOLD,  
*Teller of the Senate.*

THOMAS C. MCCALL,  
*Teller of the House of Representatives.*

On motion the convention was dissolved.

The Senate was called to order in the Senate Chamber at 1 o'clock P. M.

Senator Rothert offered the following resolution, which was adopted:  
*Resolved by the Senate, the House concurring,* That the Secretary of State furnish to such committees as may by action instruct the chairman of same to make requisition therefor, one copy of Miller's or Mo-

Clain's Annotated Code, for use of said committee; said Code to be returned to the Secretary of State at the adjournment of the Nineteenth General Assembly.

Senator Rothert moved that the Senate do now adjourn until 10 o'clock to-morrow.

The motion carried.

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SENATE CHAMBER,  
DES MOINES, IOWA, January 19, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Miles.

The journal of yesterday was read and approved.

Senator Logan moved that the vote by which the Senate concurred in House amendment to the Senate concurrent resolution relative to furnishing members with a copy of either McClain's or Miller's Annotated Code, be reconsidered.

The motion was lost.

PETITIONS AND MEMORIALS.

Senator Larrabee presented a petition signed by 7,419 citizens, in eighty-nine counties, praying for a repeal of the fish-way laws, on the ground that said laws are unjust and injurious to the manufacturing interests of the State.

Read and referred to the Committee on Manufactures.

Senator Bills presented two petitions from the school board of the city of Davenport: One praying for a law providing for compulsory education, the other, asking for the passage of a law authorizing school boards to require pupils in schools to be vaccinated.

Read and referred to the Committee on Schools.

INTRODUCTION OF BILLS.

By Senator Henderson, Senate File No. 10, a bill for an act to amend chapter 143 of the acts of the Sixteenth General Assembly, entitled "An act to provide for establishing superior courts in cities of a certain grade (additional to chapter 10, title 4 of the Code, of cities and incorporated towns).

Read a first and second time and referred to the Committee on Judiciary.

By Senator Larrabee, Senate File No. 11, a bill for an act to repeal chapter 123 of the acts of the Eighteenth General Assembly, in relation to fish-ways.

Read a first and second time and referred to the Committee on Manufactures.

By Senator Smith, Senate File No. 12, a bill for an act to repeal section 4424 of the Code, and to enact a substitute therefor, in relation to defendants jointly indicted.

Read a first and second time and referred to the Committee on Judiciary.



By Senator Tirrill, Senate File No. 13, a bill for an act to legalize ordinance No. 80, passed by the town council of the town of Manchester, in Delaware county, Iowa, in relation to purchasing a building for town purposes, and providing for the issuing of bonds in payment therefor.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Wright, Senate File No. 14, a bill for an act to amend section 2, of chapter 143 of the acts of the Sixteenth General Assembly, in relation to superior courts in cities.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Brown of Keokuk, Senate File No. 15, a bill for an act to amend section 1659 of the Code of 1873.

Read a first and second time and referred to the Committee on Reform School.

By Senator Nichols of Muscatine, Senate File No. 16, a bill for an act to repeal sections 1 and 2, of chapter 68, of the acts of the Fifteenth General Assembly, and enacting substitutes therefor, relative to making a new classification of railways and establishing maximum rates of passenger tariffs.

Read a first and second time, ordered printed, and referred to the Committee on Railways.

By Senator Logan, Senate File No. 17, a bill for an act amendatory to section 3370 of the Code of 1873, relative to the payment of fines into the school fund.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Russell of Jones, Senate File No. 18, a bill for an act to establish a Department of Industry, and providing for the election of a secretary thereof, and defining his duties.

Read first and second time, ordered printed and referred to the Committee on Agriculture.

#### RESOLUTIONS.

Senator Hall offered the following resolution, which was adopted:

*Resolved*, That the Committee on Fish and Game be and are hereby instructed to investigate and report to the Senate, the condition of the public interests in the stocking of rivers of the State with fish; the extent to which the law requiring the construction of fish-ways, have been complied with; and what, if any changes of law may be required to protect the interest of the public in the streams of the State, without impairing the manufacturing or milling interests, or rights of individuals, and if necessary to report a bill.

The following offered by Senator, Arnold was unanimously adopted:

The memorable defense of Allatoona pass made famous the name of two heroic men—the one a former, the other a late citizen of Iowa.

The forces of General Corse at Allatoona, were surrounded by an overwhelmingly large force of rebels under General Finch. The latter, to "avoid useless effusion of blood," had demanded an unconditional surrender and gave but five minutes for a reply. General Corse made emphatic answer that his troops were ready for the useless effusion whenever it was agreeable to General Finch. His answer was followed

by an immediate attack lasting five hours and ending in the complete repulse of the enemy. During this gallant defense occurred an incident famous both in military annals and in song, and which, for moral courage and heroic daring, ranks with the noted incidents of history.

General Sherman was hastening to the relief of the beleaguered garrison. He had reached the summit of Kenesaw, and from there had signalled, "Hold on to Allatoona to the last, I will help you," Corse, wounded yet undaunted, wished to send a reply. Above the breast-works was a perfect hail of bullets from the enfilading fire of the enemy.

Brave men cowed by the awful storm of lead, blanched with fear, and refused to flag the message. A mere boy seized the flag, mounted the parapet and with a heroism almost more than human waved that message which has been embalmed in verse and sung in both the Old world and the New.

The boy hero of Allatoona was the Honorable James W. McKenzie of Franklin county, late judge of the Eleventh Judicial District, who died at Hampton, January 15, 1882.

WHEREAS, After a long and painful illness which has been borne with the fortitude of the heroic Christian soldier, it has pleased Divine Providence to remove from this sphere of existence our dearly beloved friend and most highly esteemed fellow citizen, the Honorable James W. McKenzie of Franklin county; therefore,

*Resolved*, That in the early death of Judge McKenzie our State and the community of which he was an honored member has suffered an irreparable loss.

*Resolved*, That we recognize and keenly feel that in his death the State has lost one of its bravest volunteer soldiers, the bench and bar one of their brightest ornaments—a man whose patriotic deeds and pure and useful life, should entitle him to be held in the most grateful recollection by all citizens of the commonwealth of Iowa.

Senator Clark of Wayne offered the following resolution which was read and referred to the Committee on Agriculture.

*Resolved*, That this Senate request our Representatives in Congress and our Senators to use all honorable means to make the Bureau of Agriculture an executive department of the Government, so that the agricultural interests may be entitled to a cabinet seat in the general Government.

Miss H. F. Parlin was granted leave to place her portrait of Ex Governor Gear on exhibition in the Senate Chamber.

The President announced as permanent Pages, Charles K. Needham, Rufus B. Clark, Geo. Johnson.

Senator Russell of Jones offered the following resolution:

*Resolved by the Senate*, That the invitation tendered to the members of the Senate yesterday to attend a reception of the surviving members of the Constitutional convention which, twenty-five years ago, formed our organic law, to meet them at Moore's opera-house in this city to-day, at half-past one o'clock, is hereby acknowledged and accepted. Adopted.

#### REPORT OF COMMITTEE.

Senator Garber, from the Special Committee on Mileage, submitted the following report, which was adopted:

MR. PRESIDENT—Your Special Committee, to whom was referred the

question of mileage of Senators, respectfully submit the following report of the number of miles traveled, and the amount due each Senator, in pursuance of the statute; to-wit,

NAME.	Miles.	Amount.
Abraham.....	292	\$14.60
Arnold.....	160	8.00
Baker.....	530	26.50
Bills.....	350	17.50
Boling.....	236	11.80
Brown of Keokuk.....	180	9.00
Brown of Van Buren.....	250	12.50
Clark of Page.....	418	20.90
Clark of Wayne.....	136	6.80
Cotton.....	412	20.60
Dashiell.....	40	2.00
Garber.....	652	32.60
Gillett.....	80	4.00
Graves.....	562	28.10
Greenlee.....	70	3.50
Hall.....	300	15.00
Harmon.....	440	22.00
Hartshorn.....	490	24.50
Hebard.....	522	26.10
Hemenway.....	352	17.60
Henderson.....	300	15.00
Hunt.....	300	15.00
Hutchison.....	172	8.60
Johnson.....	130	6.50
Kamrar.....	150	7.50
Keller.....	300	15.00
Larrabee.....	458	22.90
Logan.....	344	17.20
Marshall.....	460	23.00
Mitchell.....	500	25.00
Nichols of Benton.....	336	16.80
Nichols of Guthrie.....	90	4.50
Nichols of Muscatine.....	272	13.60
Nielander.....	736	36.80
Parker.....	350	17.50
Patrick.....	156	7.80
Poyneer.....	184	9.20
Prizer.....	260	13.00
Robinson.....	284	14.20
Rothert.....	324	16.20
Russell of Greene.....	132	6.60
Russell of Jones.....	360	18.00
Shrader.....	247	12.35
Smith.....	2	.10
Sudlow.....	108	5.40
Tirrill.....	522	26.10
Wall.....	170	8.50
Whaley.....	320	16.00
Wilson.....	250	12.50
Wright.....	280	14.00
Lieutenant-Governor Manning.....	240	12.00

M. GARBER, *Chairman.*

Ordered passed on file.

At the hour of 12 o'clock m., on motion of Senator Russell of Jones, the Senate adjourned.

SENATE CHAMBER.  
DES MOINES, IOWA, January 20, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Wooton.

The journal of yesterday was read and approved.

Pending the reading, the following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed Senate concurrent resolution without amendment, relating to Codes for use of committees.

Also, concurrent resolution, in which the concurrence of the Senate is asked:

Relating to Bureau of Agriculture in Executive Department of General Government.

E. C. HAYNES, *Clerk*.

#### INTRODUCTION OF BILLS.

By Senator Keller, Senate File No. 19, a bill for an act to establish and maintain a school for the instruction and training of teachers of common schools.

Read a first and second time and referred to the Committee on Normal Schools, and ordered printed.

By Senator Bills, Senate File No. 20, a bill for an act to amend section 1717, chapter 9, title 12 of the Code of Iowa, so as to enable the board of directors of district townships to procure highways to school-house sites.

Read a first and second time and referred to the Committee on Schools.

By Senator Nichols of Benton, Senate File No. 21, a bill for an act to make an appropriation for College for the Blind, to enable said college to complete the school year ending June 14, 1882.

Read a first and second time and referred to the Committee on Appropriations, with instructions to said committee to take immediate action thereon.

By Senator Bills, Senate File No. 22, a bill for an act to insure the better education of practitioners of dentistry in the State of Iowa.

Read a first and second time, ordered printed, and referred to the Committee on Medicine, Surgery, and Hygiene.

By Senator Graves, Senate File No. 23, a bill for an act repealing section 1923 of the Code, and enacting a substitute therefor.

Read a first and second time and referred to the Committee on Judiciary.

Also, Senate File No. 24, a bill for an act to amend sections 2117, 2119, and 2128 of the Code.

Read a first and second time and referred to the Committee on Judiciary.

Also, Senate File No. 25, a bill for an act to amend section 951 of the Code.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Rothert, Senate File No. 26, a bill for an act providing for the election of assessor for State and county purposes in cities organized under special charters.

Read a first and second time and referred to the Committee on Municipal Corporations.

By Senator Smith, Senate File No. 27, a bill for an act requiring judicial and police officers of counties, cities, and towns to advertise stolen property coming into their possession.

Read a first and second time and referred to the Committee on Judiciary.

Also, Senate File No. 28, a bill for an act for the registry of electors, and to prevent fraudulent voting.

Read a first and second time and referred to the Committee on Elections.

By Senator Hutchison, Senate File No. 29, a bill for an act to repeal section 4026 of the Code of 1873, and to enact a section (substitute) in lieu thereof, making it a felony to keep, manage, control, or direct gambling houses, places, or shops.

Read a first and second time and referred to the Committee on Suppression of Intemperance.

By Senator Larrabee, Senate File No. 30, a bill for an act to further diminish liability to railroad accidents, and to punish interference with and injury to railroad property.

Read a first and second time, ordered printed, and referred to the Committee on Railways.

By Senator Nichols of Muscatine, Senate File No. 31, a bill for an act to amend section 2082 of the Code, relating to the negotiability of notes and contracts.

Read a first and second time.

Senator Nichols moved that the bill be referred to the Committee on Ways and Means.

Senator Bills moved to amend so as to refer the same to the Judiciary Committee.

The yeas and nays were demanded.

On the question, shall the amendment be adopted?

The yeas were:

Senators Arnold, Bills, Gillett, Hall, Harmon, Hebard, Hemenway, Henderson, Hutchison, Johnson, Keller, Mitchell, Nichols of Benton, Parker, Robinson, Rothert, Russell of Greene, Shrader, Smith, Wilson, and Wright—21.

The nays were:

Senators Abraham, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Graves, Greenlee, Hartshorn, Hunt, Kamrar, Larrabee, Logan,

Marshall, Nichols of Guthrie, Nichols of Muscatine, Nielander, Patrick, Poyneer, Prizer, Russell of Jones, Sudlow, Tirrill, Wall, and Whaley—29.

So the amendment was lost.

The question recurring upon the original motion, the bill was referred to the Committee on Ways and Means.

By Senator Russell of Greene, Senate File No. 32, a bill for an act to repeal section 3774, and to provide a substitute therefor, and to fix the salaries of the judges of the Circuit and District courts.

Read a first and second time and referred to the Judiciary Committee.

By Senator Harstshorn, Senate File No. 33, a bill for an act to amend sections 2077, 2078, 2080, 3061, and 3106 of the Code, relating to the rate of interest.

Read a first and second time, ordered printed, and referred to the Committee on Ways and Means.

By Senator Logan, Senate File No. 34, a bill for an act to amend chapter 59, of the acts of the Seventeenth General Assembly, in relation to the assessment and taxation of telegraph lines within the State of Iowa.

Read a first and second time, ordered printed, and referred to the Committee on Ways and Means.

By Senator Clark of Page, Senate File No. 35, a bill for an act to amend section 3575, of chapter 1, of title 21 of the Code of 1873, in relation to appeals from justices of the peace.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Hall, Senate File No. 36, a bill for an act to repeal section 2452 of the Code of 1873, and to enact a substitute therefor.

Read a first and second time and referred to the Committee on Judiciary.

Also, Senate File No. 37, a bill for an act changing the law of descent and inheritance.

Read a first and second time, ordered printed, and referred to the Committee on Judiciary.

Also, Senate File No. 38, a bill for an act to repeal section 1869 of the Code of 1873, and enact a substitute therefor.

Read a first and second time and referred to the Committee on Judiciary.

#### RESOLUTIONS.

Senator Marshall offered the following resolution, which was read and referred to the Committee on Federal Relations:

*Resolved by the Senate, the House concurring,* That in view of the unjust litigation and extortions forced upon the people of our State by barb wire, drive-well, and other patent-right monopolies, we do hereby respectfully and earnestly request our legislators in the national halls of Congress at Washington to exert their influence to amend our patent laws in such a manner that, while they will secure due and ample reward to the inventive genius of our country, they will also protect the people of our State from the recurrence of such unjust exactions.

Senator Tirrill offered the following resolution, which was read and referred to the Committee on Public Buildings.

*Resolved*, That the Committee on Public Buildings be instructed to inquire, and report at their earliest convenience, how large an appropriation must be made by this General Assembly to complete the capitol, or enough for occupancy by the next General Assembly; also, including that part of said capitol set apart for the use of the State Library, and for State officers.

By Senator Bills, the following joint resolution and memorial.

WHEREAS, The agricultural, manufacturing, and commercial interests of the Northwest, and no less so those of the entire country, are largely dependent for their development upon a full enjoyment of facilities for the transportation of products and commodities; and

WHEREAS, the two great interior water routes of transportation in the United States are those of the Mississippi River, from north to south, and of the lakes, with the Erie Canal and the Hudson River, from west to east; and

WHEREAS, A direct all-water communication between these two great routes is indispensable to a complete service to the interests which imperatively demand improved and cheaper routes of transportation, since without such connection there can be no real use by the Northwest of a water route to the East, nor by the East to the Northwest; and

WHEREAS, The General Assembly of Iowa did, in 1864, and again in 1870, and still again in 1874, memorialize Congress for the construction of a canal to connect the Mississippi River with the Illinois River, on a line running eastward from or near Rock Island, while Governors Merrill, Carpenter, and Gear have also in official communication urged that Congress should undertake this greatly needed work of improvement; therefore,

*Resolved that the Senate, the House concurring*, Respectfully memorialize the Congress of the United States to authorize, provide for, and require by enactment at its present session, an early construction of a canal, for commercial purposes, from Hennepin, on the Illinois River, to or near Rock Island, on the Mississippi River.

*Resolved*, That our Senators and Representatives in Congress be requested to use all possible and proper exertion to secure from the body in which they respectively serve, the passage of a bill, at the present session, ordering the immediate beginning of the work of constructing the canal herein mentioned, and to vote liberal appropriation therefor, to the end that said canal may be completed and opened to the commerce of the country at the earliest possible date.

*Resolved*, That a copy of these resolutions, duly signed by the President of the Senate, and attested by the Secretary, be forwarded to each one of our Senators and Representatives in Congress, in order that the same may be presented to the respective bodies in which they serve.

Read, ordered printed and referred to the Committee on Commerce.

Senator Hutchison offered the following resolution.

*Resolved*, That the Railroad Committee of the Senate are instructed hereby to inquire whether competing railroad corporations are in the habit of agreeing that one road shall take all the freight or the greatest

portion thereof, to and from or to or from any one point or territory in the State, while the other companies with their railroad lines there located refuse to take freight in order to carry out such an agreement.

2. That said committee make such inquiries concerning shipments at Cedar Rapids, Dubuque, Ottumwa, or any other point where there are competing railroad lines which to said committee shall seem proper and to ascertain all about such agreements, if any exist, and said committee shall have the right to subpoena and compel the attendance of witnesses and shall have any statements which any citizen may desire to make on said subject, by written statement in affidavit form, or by being personally present.

3. That said committee shall make any other inquiries which to them shall seem needed concerning the working of the Railroad Commissioners' law, and shall report fully and specifically to the Senate on the subject of this resolution on or before the fifteenth (15th) day of February, 1882, and further, whether in the judgment of said committee any legislation is needed to provide against the abuses suggested in this resolution, if such exist, and to report a bill to correct the same if practicable.

The resolution was read and adopted.

The following offered by the same senator was also adopted:

WHEREAS, There is a universal demand for the fourth annual report to the Governor, of the Railroad Commissioners, which is full of most valuable information on railroad matters and especially the transportation question, showing the workings of the Railroad Commissioners' law, what can be done under it by persons having property of any kind to transport to correct any grievance which they may have, and how to make complaints, if any shall be needed, no matter what the grievance may be; and

WHEREAS, No pains seem to have been taken by foregoing General Assemblies to place this report among those of the several constituencies, who might profit largely thereby; therefore,

*Be it resolved by the General Assembly of the State of Iowa, the Senate and House concurring,* That the Secretary of State is hereby instructed to provide each Senator and Representative of the Nineteenth General Assembly with fifteen (15) copies of the report above named, for that distribution which will assist in spreading the information intended to be furnished by the report.

#### REPORTS OF COMMITTEES.

Senator Larrabee, from the Committee on Ways and Means submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred concurrent resolution No. 3, relating to the adjournment of the House and Senate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "twenty-first" in the third line and inserting the word "twenty-fifth," and when so amended that it do pass.

WM. LARRABEE, *Chairman.*

Ordered passed on file.



Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred concurrent resolution No. 2, relating to appointing visiting committees to the several State institutions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "first" in the ninth line, and inserting the word "third," and by adding the following:

"6. Said committee shall specially examine and report as to the sufficiency of the means of fire escape, in case of fire, and also as to the protection against fire."

And when so amended that it do pass.

WM. LARRABEE, *Chairman.*

Ordered passed on file.

Senator Nichols of Muscatine moved that the report relative to the adjournment of the House and Senate be taken up and considered.

Senator Larrabee moved to amend the report by inserting "2 o'clock P. M."

The motion to amend carried, and the report as amended was adopted.

The report relative to appointing visiting committees to State institutions and instructing said committees, was also taken up, considered, and adopted as amended.

Senator Whaley gave notice that on to-morrow morning he would introduce a resolution in reference to the death of Hon. W. P. Gaylord, of Floyd county.

Senator Larrabee moved that the Governor's message now be taken up and the several subjects referred to the appropriate committees.

The motion prevailed.

Senator Hall moved that the introductory part of the Governor's message be referred to the Committee on Federal Relations with instruction to report upon the propriety of canceling or issuing the certificates of election of United States Senator heretofore prepared by the joint convention of the two houses upon Tuesday, January 17, 1882.

The motion prevailed.

There being no objection other portions of said message were, by the chair, referred as follows:

Finances, funds, providential contingent fund, treasurer of State institution, and work in the executive office, to the Committee on Ways and Means.

National guard, to the Committee on Military.

State Library, to the Committee on State Library.

Public schools, to the Committee on Schools.

State University, to the Committee on State University.

Normal schools, to the Committee on Normal Schools.

Agricultural College, to the Committee on Agricultural College.

Public lands, to the Committee on Public Lands.

Institution for the Deaf and Dumb, to the Committee on Deaf and Dumb.

College for the Blind, to the Committee on College for the Blind.

Soldiers' Orphans' Home and Home for Indigent Children, to the Committee on Orphans' Home.

Asylum for Feeble-Minded Children, to Committee on Asylum for Feeble-Minded Children.

Hospitals at Mt. Pleasant and Independence, to the Committee on Hospital for Insane.

Reform School, to Committee on Reform School.

Penitentiary at Ft. Madison, Additional Penitentiary, insane convicts, and graded prisons, to the Committee on Penitentiary.

Juvenile criminals and reformatory for criminal women, to Committee on Reform School.

Criminal returns and the plea of insanity, to the Judiciary Committee.

Fish commission, to Committee on Fish and Game.

Board of health and pharmacy, to Committee on Medicine, Surgery, and Hygiene.

Mine inspection, to Committee on Manufactures.

Iowa weather service and immigration commission and support of State institutions, to Committee on Appropriations.

Historical society, to the Committee on State University.

New capitol, to the Committee on Public Buildings.

Agricultural, to the Committee on Agriculture.

State Agricultural Society, to the Committee on Agriculture.

Railway, to the Committee on Railways.

Water-ways, to the Committee on Commerce.

Public highways, to the Committee on Highways.

Corporations and insurance, to the Committee on Insurance.

Banking, to the Committee on Banks.

Compensation of public officers, to Committee on Compensation of Public Officers.

The general election and vacancies in office, to Committee on Elections.

Constitution, to Committee on Constitutional Amendments.

Relief for public officers, to Committee on Claims.

Death of the President, to Committee on Federal Relations.

#### REPORT OF COMMITTEE.

Senator Clark of Page, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined—

Senate File No. 4.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Senator Wright moved to adjourn.

The motion carried, and at 1½ o'clock M. the Senate adjourned.

SENATE CHAMBER.  
DES MOINES, IOWA, January 21, 1882. }

The Senate met pursuant to adjournment, and was called to order by Senator Graves, President *pro tem*.

Prayer by the Rev. B. J. Radford.

The journal of yesterday was read and approved.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 40 a bill for an act authorizing McClain's Annotated Statutes of the State of Iowa to be received as evidence of the laws of this State.

E. C. HAYNES, *Chief Clerk*.

Senator Nichols of Benton was excused until Monday.

#### PETITIONS AND MEMORIALS.

By Senator Arnold, the following petition and memorial, which was read, and, on motion of Senator Russell of Greene, referred to the Committee on Federal Relations.

Joint resolution and memorial relating to Indians:

*Be it resolved by the General Assembly of the State of Iowa*, That our Senators in Congress be instructed, and our members of the House of Representatives be requested:

1st. To use their influence to have maintained with scrupulous fidelity all treaties made with the Indians, until these contracts are modified or abrogated by the free and well-considered consent of the Indian tribes who were also parties to these treaties.

2d. That since the number of Indian children within the limits of the United States does not probably exceed 60,000, or one-third the number of children in the public schools of some of our large cities, and since treaties with many tribes already bind our government to provide a teacher for every thirty Indian children among these tribes, that our Senators and members in Congress be requested to use their influence to secure the establishment of a number of common schools, sufficient for the education of every child of every tribe, upon their reservations; and that industrial schools among them may be established.

3d. And that a title in fee simple to at least one hundred and sixty acres of land may be granted to any Indian, within the reservation occupied by his tribe, when he desires to hold land in severalty; and that said land shall be inalienable for twenty years.

4th. And that the recognition of Indian personalty and rights under the law be had, giving to Indians the protection of the law of the United States for their persons and property, and holding them strictly amenable to their laws; also, giving them increased encouragement to industry and opportunity to trade, and securing to them full religious liberty.

The following joint resolution was offered by Senator Shrader.

Memorial and joint resolution relating to certain lands originally granted for the purpose of aiding in the construction of railways:

WHEREAS, By an act of Congress, dated May 12, 1864, certain lands in the State of Iowa were, under said act, granted to the State for the purpose of constructing a railroad from Sioux City to the south line of Minnesota; and

WHEREAS, By chapter 144 of the acts of the Eleventh General Assembly, which took effect May 20, 1866, the State conferred this grant upon the Sioux City & St. Paul Railroad Company; and

WHEREAS, Said railroad company have failed to comply with the act of Congress, and a portion of said lands have reverted to the United States; therefore,

*Be it enacted by the General Assembly of the State of Iowa, That our Senators and Representatives in Congress be respectfully requested and urged to use all lawful means to procure the passage of an act by the Congress of the United States confirming the title to these lands in the State of Iowa, as a perpetual endowment fund of the State University, located at Iowa City, Iowa.*

Referred to the Committee on Public Lands.

#### INTRODUCTION OF BILLS.

By Senator Larrabee, Senate File No. 39, a bill for an act relating to the trial of equitable actions, amending section 2742, chapter 9, title 17 of the Code of Iowa, as amended by chapter 145 of the laws of the Seventeenth General Assembly.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Robinson, Senate File No. 40, a bill for an act to resume all of the lands and rights conferred upon the Sioux City & St. Paul Railroad Company, by or under an act of Congress, approved May 12, 1864, to lands not heretofore certified to said company.

Read a first and second time, ordered printed, and referred to the Committee on Judiciary.

By Senator Poyneer, Senate File No. 41, a bill for an act in relation to the loaning and management of the permanent school fund, and repealing section 1865 of the Code.

Read a first and second time and referred to the Committee on Schools.

By Senator Robinson, Senate File No. 42, a bill for an act to provide an additional ground for attachment.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Nichols of Muscatine, Senate File No. 43, a bill for an act to repeal section 4073 of the Code, and enact a substitute therefor.

Read a first and second time, ordered printed, and referred to the Committee on Judiciary.

Also, Senate File No. 44, a bill for an act to mitigate the evils growing out of double taxation of real estate.

Read a first and second time and referred to the Committee on Ways and Means, and ordered printed.

By Senator Hartshorn, Senate File No. 45, a bill for an act to repeal section 573 of the Code, and to enact a substitute therefor, in relation to the time for holding general election.

Read a first and second time and referred to the Committee on Elections, and ordered printed.

By Senator Smith, Senate File No. 46, a bill for an act to repeal section 390 of the Code, and to enact a substitute therefor, in relation to the election of assessors.

Read a first and second time and referred to the Committee on Municipal Corporations.

By Senator Robinson, Senate File No. 47, a bill for an act to amend section 2155 of the Code, relating to limited partnerships.

Read a first and second time and referred to the Committee on Judiciary.

Also, Senate File No. 48, a bill for an act to amend section 2018 of the Code relating to landlords' liens.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Baker, Senate File No. 49, a bill for an act for the better protection of the dairy interests of the State and for the punishment of frauds connected therewith.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Clark of Wayne, Senate File No. 50, a bill for an act to amend section 307 of the Code of Iowa, by adding to said section the words "provided further, that in all counties where there are newspapers of different political parties in general circulation the two newspapers selected shall be from different political parties.

Read a first and second time and referred to the Committee on Printing.

By Senator Russell of Greene, Senate File No. 51, a bill for an act to repeal subdivision two of section 2, chapter 184 of the laws of the Eighteenth General Assembly, and to provide a substitute therefor in relation to compensation for collection of taxes.

Read a first and second time and referred to the Committee on Ways and Means.

By Senator Brown of Keokuk, Senate File No. 52, a bill for an act to amend section 3864 of the Code of 1873.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Greenlee, Senate File No. 53, a bill for an act repealing chapter 161 of the laws of the Eighteenth General Assembly, and enacting a substitute therefor.

Read a first and second time and referred to the Committee on County and Township Organization.

By Senator Cotton, Senate File No. 54, a bill for an act to amend section 1899 of the Code of 1873, relating to making appropriations for the Iowa State Library.

Read a first and second time and referred to the Committee on State Library.

By Senator Garber, Senate File No. 55, a bill for an act regulating the crossing of highways by railroad companies.

Read a first and second time and referred to the Committee on Railways.

By Senator Clark of Page, Senate File No. 56, a bill for an act to amend section 3, of chapter 210, of the laws of the Eighteenth General Assembly, relating to the method of cancellation of fire insurance policies.

Read a first and second time and referred to the Committee on Insurance.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

A resolution relating to a vote of thanks to E. H. Calkins.

E. C. HAYNES, *Clerk*.

#### RESOLUTIONS.

Senator Rothert offered the following:

*Resolved*, That the Secretary of State be directed to have five hundred copies each of Governor Gear's biennial message, and Governor Sherman's inaugural message printed in each of the following languages: Bohemian, Swedish and Norwegian, and two thousand each in the German language.

Also:

*Resolved*, That there be published a new edition, in good book form, of the Constitution of 1857, with all subsequent amendments under the direction of the Secretary of State, said edition to include the proceedings of the reunion of the surviving members of convention of 1857, with such additional sketches as may be furnished by Professor Parvin, under direction of Honorable Francis Springer.

The foregoing resolutions were read and referred to the Committee on Printing.

Senator Larrabee offered the following:

*Resolved*, That the auditor be requested to state, for the information of the Senate:

1. The amounts certified to the board of supervisors by the Executive Council, under the provisions of law "to provide a fund for the payment of the salaries and current expenses of the board of Railroad Commissioners" for the years 1878, 1879, 1880, 1881, and 1882, respectively.

2. The amount paid from this fund each year for the salaries of the Commissioners and their secretary, and their current expenses.

3. The amount now in the treasury to the credit of this fund, or deficit if it is overdrawn.

Adopted.

Senator Gillett offered the following resolution which was adopted:

*Resolved*, That all committees are hereby requested to accompany all favorable reports of bills of general nature with the bill printed.

## HOUSE MESSAGES.

House resolution with reference to establishing a department of agriculture by the general government was taken up and considered.

Senator Russell of Greene moved to refer the matter to the Committee on Agriculture.

The motion prevailed.

Senator Arnold, from the Committee on Appropriations, by leave, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 21, a bill for an act to make an appropriation for the College for the Blind, to enable said college to complete the school year ending June 14, 1882, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

DELOS ARNOLD, *Chairman*.

On motion the report of the committee was considered now.

Senator Arnold moved that the Eleventh Rule be suspended and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiehl, Garber, Gillett, Graves, Greenlee, Hall, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Johnson, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—46.

The nays were—None.

Absent or not voting:

Senators Harmon, Hutchison, Kamrar, and Nichols of Benton—4.

So the bill passed, and the title was agreed to.

Senator Russell, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 9, a bill for an act in relation to publishing legal notices, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

RUSSELL, *Chairman*.

Ordered passed on file.

## RESOLUTIONS.

Senator Whaley offered the following resolution:

WHEREAS, Since the close of the session of the Eighteenth General Assembly the common enemy of the human race, death, has laid his hand upon Hon. Wilberforce P. Gaylord, of Floyd county, who ably

represented the Forty-sixth District in this honorable body, and removed him from the ranks of the living; and

**WHEREAS**, It is eminently becoming that this honorable body shall recognize the sterling merits of the deceased Senator; therefore,

*Resolved*, That we deeply deplore his untimely death, in the midst of the duties of his official position in this chamber and his life work, and that we cordially acknowledge our appreciation of his many able characteristics and great moral worth. That we extend our most sincere condolence and heartfelt sympathy to the widow and fatherless in their bereavement; and

*Resolved*, That the preamble and resolutions be spread upon the journal; that the Secretary of the Senate be and is hereby directed to forward a copy of the same to the family of the deceased.

The resolution was unanimously adopted.

Senator Brown of Keokuk presented the following:

**WHEREAS**, By the hand of death there has been removed from amongst us, while a member of the Senate of this commonwealth, the Hon. Thomas Hanna, of Muscatine; therefore,

*Be it resolved by the Senate*, That by his death the State has lost a faithful and honest legislator; the bar of Iowa an honored and able member; society a respected and Christian gentleman; and his family an indulgent and kind husband and father. That his kind and genial disposition, his affable bearing towards all with whom he came in contact, will ever be remembered and gratefully cherished. And

*Be it further resolved*, That these resolutions be spread upon, and made part of, the record of this Senate, and a copy of the same transmitted to the family of the deceased. That in respect for the deceased Senators, Thomas Hanna and W. P. Gaylord, the Senate now adjourn until Monday, January 23, at the hour of 2 o'clock P. M.

Senators Whaley and Shrader each delivered feeling addresses in eulogy of the dead Senator Gaylord.

Senators Brown of Keokuk and Nichols of Muscatine made appropriate remarks touching the life and the high character of the late Hon. Thomas Hanna.

The foregoing resolutions were unanimously adopted, and the Senate adjourned at 12 o'clock M. until Monday, the 23d inst., at 2 o'clock P. M.



SENATE CHAMBER. }  
DES MOINES, IOWA, January 23, 1882. }

The Senate met pursuant to adjournment and was called to order by Senator Graves, President *pro tempore*.

Prayer by Rev. A. G. Wright.

The journal of last day's proceedings was read and approved.

President Manning resumed the chair.

INTRODUCTION OF BILLS.

By Senator Clark of Wayne, Senate File No. 57, a bill for an act to repeal the military law passed by the Eighteenth General Assembly.

Read a first and second time and referred to the Committee on Military, and ordered printed.

By Senator Dashiell, Senate File No. 58, a bill for an act to amend chapter 1, title 6 of the Code of 1873, and to repeal certain other acts relative to exemptions from taxation for the planting of fruit and forest trees.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Bills, Senate File No. 59, a bill for an act authorizing cities acting under special charters to cause land on which there is stagnant water to be filled up or drained, and providing for the collection of such expense.

Read a first and second time and referred to the Committee on Municipal Corporations.

By Senator Hall, Senate File No. 60, a bill for an act establishing the Supreme Court at the capital of the State, and fixing the terms thereof.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Patrick, Senate File No. 61, a bill for an act regulating the time of paying taxes.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Hunt, Senate File No. 62, a bill for an act entitled compulsory attendance at school.

Read a first and second time and referred to the Committee on Schools.

By Senator Sudlow, Senate File No. 63, a bill for an act to amend section 983, chapter 2, title 7 of the Code of 1873, relating to the time of performing labor on highways.

Read a first and second time and referred to the Committee on Highways.

By Senator Hunt, Senate File No. 64, a bill for an act to amend sections 3055 and 3056 of the Code of 1873, and to provide for the indemnity of sheriffs or officers in the service of writs of attachment.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Hall, Senate File No. 65, a bill for an act changing and

regulating the civil practice in the Circuit and District courts of the State.

Read a first and second time and referred to the Committee on Judiciary, and ordered printed.

By Senator Garber, Senate File No. 66, a bill for an act to amend section 936 of the Code of 1873, in relation to road notices.

Read a first and second time, ordered printed and referred to the Committee on Highways.

By Senator Clark of Page, Senate File No. 67, a bill for an act to amend chapter 152, of the Sixteenth General Assembly, and chapter 164, of the Eighteenth General Assembly, and having reference to the maintenance and management of the Iowa Institution for Feeble-minded Children.

Read a first and second time, ordered printed and referred to the Committee on Asylum for Feeble-Minded Children.

By Senator Clark of Page, Senate File No. 68, a bill for an act to amend chapter 6, title 10 of the Code of 1873, in relation to telegraph companies.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Brown of Van Buren, Senate File No. 69, a bill for an act to enable incorporated towns and cities, including cities acting under special charters, to aid in the construction of county bridges in certain cases.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Clark of Page, Senate File No. 70, a bill for an act to repeal section 2485, chapter 3, title 11 of the Code of 1873, in relation to dogs and for taxing the same, and paying for sheep killed by dogs.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Clark of Page, Senate File No. 71, a bill for an act to amend section 1776, chapter 9, title 12 of the Code of 1873, in relation to the compensation of the county superintendent of schools.

Read a first and second time and referred to the Committee on Schools.

The following communications from the Secretary of State, were read and ordered passed on file:

OFFICE OF SECRETARY OF STATE, }  
DES MOINES, IOWA, January 23, 1882. }

*To the Honorable Senate of Iowa*—I respectfully report that pursuant to law, I did publish joint resolution No. eleven (11), passed at the regular session of the Eighteenth General Assembly of the State of Iowa, said resolution being "joint resolution proposing to amend article 11, section 1, of the Constitution of the State of Iowa, and to provide for its reference and publication."

I further certify that said joint resolution was published for three months prior to the general election of 1881, in two newspapers in each Congressional District of Iowa, as follows:

First District—Hawkeye, Burlington, Iowa; Ledger, Fairfield, Iowa.

Second District—Gazette, Davenport, Iowa; Herald, Clinton, Iowa.

Third District—Press, Manchester, Iowa; Republican, Decorah, Iowa.

Fourth District—Press, Osage, Iowa; Recorder, Hampton, Iowa.

Fifth District—Republican, Cedar Rapids, Iowa; Republican, Iowa City, Iowa.

Sixth District—News, Sigourney, Iowa; Citizen, Centerville, Iowa.

Seventh District—Sentinel, Osceola, Iowa; Patriot, Chariton, Iowa.

Eighth District—Opinion, Glenwood, Iowa; Courier, Logan, Iowa.

Ninth District—Gazette, Fort Dodge, Iowa; Gazette, Onawa, Iowa.

All of which is respectfully submitted,

J. A. T. HULL,  
*Secretary of State.*

OFFICE OF SECRETARY OF STATE, }  
DES MOINES, IOWA, January, 23, 1882. }

*To the Honorable Senate of Iowa*—I respectfully report that pursuant to law I did publish joint resolution No. 8, passed at the regular session of the Eighteenth General Assembly of the State of Iowa, said resolution being "joint resolution proposing to amend the Constitution so as to prohibit the manufacture and sale of intoxicating liquors as a beverage, within this State."

I further certify that said joint resolution was published for three months prior to the general election of 1881, in two newspapers in each Congressional District of Iowa, as follows:

First District—Press, Washington, Iowa; Gate City, Keokuk, Iowa.

Second District—Advertiser, Tipton, Iowa; Journal, Muscatine, Iowa.

Third District—Times, Dubuque, Iowa; Mirror, Lansing, Iowa.

Fourth District—Eagle, Northwood, Iowa; Star, Clarksville, Iowa.

Fifth District—Times, Cedar Rapids, Iowa; Eagle, Vinton, Iowa.

Sixth District—Courier, Ottumwa, Iowa; Herald, Oskaloosa, Iowa.

Seventh District—Register, Des Moines, Iowa; Madisonian, Winter-set, Iowa.

Eighth District—Nonpareil, Council Bluffs, Iowa; Herald, Clarinda, Iowa.

Ninth District—Journal, Sioux City, Iowa; Bee, Jefferson, Iowa.

All of which is respectfully submitted,

J. A. T. HULL,  
*Secretary of State.*

The following communication was also read and ordered passed on file, being a resolution by the members of Crocker's Iowa Brigade, in reunion assembled at Washington, Iowa, September 28, 1881, requesting the Nineteenth General Assembly to designate the statue of Marcellus M. Crocker as that of one, by reason of distinguished civic and military services, worthy to be placed in the old hall of the House of Representatives, at Washington, D. C., by the State of Iowa.

## REPORT OF COMMITTEES.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval Senate File No. 4, an act to pay the expenses of the inauguration ceremonies.

T. E. CLARK, *Chairman*.

Senator Boling, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate resolution instructing the Committee on Public Buildings to inquire, and report at their earliest convenience, how large an appropriation must be made by this General Assembly to complete the capitol, or enough for the occupancy by the next General Assembly; also, including that part of said capitol set apart for the use of the State Library and State officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be adopted.

S. M. BOLING, *Chairman*.

Ordered passed on file.

Senator Boling moved that the resolution relative to ascertaining the amount needed to be appropriated by the present General Assembly in order that the new capitol shall be fit for occupancy by the next General Assembly, and by State officers, be taken up.

The motion prevailed.

The resolution was taken up, considered, and adopted.

The following communication was received from the Governor:

STATE OF IOWA, }  
EXECUTIVE DEPARTMENT, }  
DES MOINES, January 21, 1882. }

MR. PRESIDENT—I am instructed by the Governor to report to the honorable, the Senate, that he has approved, signed, and deposited in the office of the Secretary of State:

Senate File No. 4, an act appropriating money to defray the expenses of the inauguration ceremonies.

WELKER GIVEN, *Private Secretary*.

Ordered passed on file.

Senate File No. 9, a bill for an act in relation to publishing legal notices, with the report of committee recommending that it do not pass, was taken up and considered.

Senator Wright moved that the report of the committee be adopted.

The motion prevailed, and the bill was indefinitely postponed.

Leave of absence was asked for Senators Rothert, Logan, and Nichols of Benton.

Leave was granted.

House File No. 40 was taken up and considered.

Senator Hall moved that the rule be suspended, and the bill considered engrossed and read a third time now.

The motion carried.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hemenway, Henderson, Hunt, Hutchison, Johnson, Keller, Larrabee, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Hartshorn, Hebard, Kamrar, Logan, Nichols of Benton, and Rothert—6.

So the bill passed, and the title was agreed to.

Senators Hartshorn and Hebard were excused for one week.

House resolution relative to establishing in the general government a department of agriculture, was next considered.

Senator Hemenway moved a reference to the Committee on Agriculture.

The motion prevailed.

By leave, a communication from the Auditor of State was read, relative to the amount certified by the Executive Council to the board of supervisors, under provision of law to pay the expenses of the Railroad Commissioners for the years 1878, 1879, 1880, 1881, and 1882; also, the amounts paid to said board for salaries, secretary, and current expenses.

Ordered printed and passed on file.

On motion of Senator Hunt, at 3:15 o'clock, the Senate adjourned until 10 o'clock to-morrow, the 24th inst.

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SENATE CHAMBER, }  
DES MOINES, IOWA, January 24, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. J. E. Stauffacher.

The journal of yesterday was read and approved.

Pending the reading, the following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed Senate resolution relative to publication of Railroad Commissioners' Report, without amendment.

Also, Senate resolution with reference to appointment of visiting committees to the State institutions, with the following amendment: strike out "3d day of February," in ninth line, and insert "10th day of February."

Also, joint resolution relative to adjournment, with the following amendment: Strike out "Wednesday, 25th," in third line, and insert "Friday, the 27th"; and strike out "January 31," in the fourth line, and insert "February 7th."

Also, House concurrent resolution granting Henry Bull permission to keep confectionary stand in the hall between the Senate and House chambers.

J. L. WILSON, *First Assistant Clerk.*

#### PETITIONS AND MEMORIALS.

Senator Garber presented a petition from residents of Clayton county, praying that the prohibitory amendment to the Constitution of Iowa, agreed to by the Eighteenth General Assembly, shall be re-enacted without amendment, change or delay.

Read and referred to the Committee on Constitutional Amendments.

#### INTRODUCTION OF BILLS.

By Senator Arnold, Senate File No. 72, a bill for an act to amend section 328, chapter 4, of the Code of 1873, relating to the manner of canceling county warrants.

Read a first and second time and referred to the Committee on Ways and Means.

By Senator Hunt, Senate File No. 73, a bill for an act to repeal section 4062, acts of the Twelfth and Thirteenth General Assemblies, title 24, chapter 11, and to substitute the following in lieu thereof.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Nichols of Muscatine, Senate File No. 74, a bill for an act to repeal sections 857, 865, and 866 of the Code, and to provide substitutes therefor, allowing semi-annual payment of taxes. Also, to amend section 871 of the Code, changing the time of taxsale.

Read a first and second time, ordered printed, and referred to the Committee on Ways and Means.

By Senator Gillett, Senate File No. 75, a bill for an act to repeal sections 894 and 865 of the Code, and to enact substitutes therefor, in relation to giving notice before taxdeeds shall be made, and in relation to making such deeds.

Read a first and second time, ordered printed, and referred to the Committee on Ways and Means.

By Senator Wilson, Senate File No. 76, a bill for an act to repeal sections 3781, 3783, 3785, 3787, 3796, and 3797 of the Code, and chapter 184 of the laws of the Eighteenth General Assembly, and enacting substitutes therefor, relating to salaries of clerk of the courts, county auditor, and treasurer.

Read a first and second time, ordered printed, and referred to the Committee on Compensation of Public Officers.

By Senator Hunt, Senate File No. 77, a bill for an act requiring railroad corporations to fence their road on improved lands.

Read a first and second time, ordered printed, and referred to the Committee on Agriculture.

By Senator Hall, Senate File No. 78, a bill for an act to amend section 1061, chapter 1, title 9 of the Code of 1873, in relation to corporations for pecuniary profit.

Read a first and second time and referred to the Committee on Judiciary, and ordered printed.

By Senator Rothert of Lee, Senate File No. 79, a bill for an act for the prevention of glanders.

Read a first and second time and referred to the Committee on Agriculture.

#### RESOLUTIONS.

Senator Logan offered the following resolution, which, on motion of Senator Rothert, was adopted:

*Resolved by the Senate, the House concurring,* That the Secretary of State be, and he is hereby authorized to have printed five thousand (5,000) additional copies of the fourth, annual report of Railroad Commissioners for distribution by the General Assembly.

Senator Hall offered the following:

*Resolved,* That the following be adopted and added to the standing rules of the Senate:

All bills, resolutions, petitions, memorials, and other papers presented to the Senate by members thereof shall be accompanied by the name of the member presenting the same with the number of his district.

Senator Wilson moved to amend by striking out the words "with the number of his district."

The motion to amend was lost.

Senator Robinson moved to amend by striking out the words "number of his district" and insert the words "name of his county."

The amendment was accepted, and the resolution as amended was adopted.

Senator Arnold offered the following

#### CONCURRENT RESOLUTION,

which was adopted:

*Resolved by the Senate, the House concurring,* That the Senate will meet the House of Representatives in joint convention, on Wednesday, January 25, 1882, at 12 o'clock m., for the purpose of comparing the votes of the respective bodies for the office of United States Senator for six years, beginning March 4, 1883; also, for United States Senator to fill the vacancy caused by the resignation of Hon. Samuel J. Kirkwood, and to declare the result of said vote.

Senator Larrabee moved that the Senate now proceed to the election of a United States Senator for the long term, commencing on the 4th day of March, A. D. 1883.

The motion prevailed.

The roll was called, with the following result:

The whole number of votes cast was .....	46
Necessary to a choice.....	24
Of which James F. Wilson received.....	42
Of which D. P. Stubbs received.....	2
Of which L. G. Kinnie received.....	2

So it appeared that James F. Wilson received a majority of all the votes cast for the office of United States Senator from Iowa in the Congress of the United States for the term beginning on the 4th day of March, A. D. 1883.

Those voting for James F. Wilson were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hemenway, Henderson, Hunt, Hutchison, Johnson, Keller, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Parker, Patriok, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—42.

Those voting for D. P. Stubbs were:

Senators Clark of Wayne and Wall—2.

Those voting for L. G. Kinnie were:

Senators Hall and Mitchell—2.

Absent or not voting:

Senators Hartshorn, Hebard, Kamrar, and Nielander—4.

Senator Gillett moved that the Senate now proceed to elect a United States Senator to fill the vacancy occasioned by the resignation of Honorable Samuel J. Kirkwood.

The motion prevailed.

The roll was then called with the following result:

The whole number of votes cast was.....	46
Necessary to a choice.....	24
Of which J. W. McDill received.....	42
Of which M. M. Ham received.....	2
Of which Daniel Campbell received.....	2

So it appeared that James W. McDill received a majority of all the votes cast for the office of United States Senator, in the Congress of the United States from the State of Iowa for the short term to close on the 4th day of March, A. D. 1883.

Those voting for James W. McDill were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hemenway, Henderson, Hunt, Hutchison, Johnson, Keller, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Parker, Patriok, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Sudlow, Tirrill, Whaley, Wilson, and Wright—42.

Those voting for M. M. Ham were:

Senators Hall and Mitchell—2.

Those voting for Daniel Campbell were:

Senators Clark of Wayne and Wall—2.

Absent or not voting:

Senators Hartshorn, Hebard, Kamrar, and Nielander—4.

Senator Hall moved that the Committee on Federal Relations be requested to report on to-morrow morning upon the resolution heretofore referred to said committee, in relation to the validity of the certificates of election of United States Senators issued by the joint convention of the date of January 17, 1882.

The motion was lost.



## COMMUNICATIONS ON THE PRESIDENT'S TABLE.

A communication relative to the design for a "Badge of Honor" to be given to each honorably discharged Iowa soldier and sailor, was read and referred to the Committee on Military.

## REPORT OF COMMITTEES.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 25, a bill for an act to amend section 2951 of the Code of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 17, a bill for an act amendatory to section 3370 of the Code of 1873, in relation to the payment of fines into the school fund, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Nichols of Muscatine, from the Committee on Manufactures, submitted the following report:

MR. PRESIDENT—Your Committee on Manufactures, to whom was referred Senate File No. 11, a bill for an act to repeal chapter 123 of the acts of the Eighteenth General Assembly, in relation to fish-ways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

NICHOLS OF MUSCATINE, *Chairman*.

Ordered passed on file.

## HOUSE MESSAGES.

Senator Arnold moved to take up House messages.

The motion prevailed.

House amendment to the Senate resolution relative to appointing visiting committees to the State institutions, changing the time of report from February 3d to February 10th, was taken up and considered.

Senator Robinson moved to postpone consideration of the resolution until the House message relative to adjournment be disposed of.

The motion carried.

The resolution relative to adjournment, as amended by the House, changing the time of adjournment from the 25th inst. to the 27th inst., and the time of reconvening from the 31st inst. to the 7th of February next, was taken up and considered.

Senator Nichols of Muscatine moved the Senate do not concur in House amendment to Senate resolution relative to adjournment, and that a Committee of Conference be appointed, of which Senator Arnold shall be chairman.

The yeas and nays were demanded.

The roll was called.

On the question, shall the Senate refuse to concur in the House amendment?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Gillett, Greenlee, Hall, Harmon, Hemenway, Henderson, Hunt, Hutchison, Johnson, Logan, Nichols of Muscatine, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Sudlow, Tirrill, Wall, and Whaley—30.

The nays were:

Senators Dashiell, Garber, Graves, Keller, Larrabee, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Prizer, Russell of Greene, Shrader, Smith, Wilson, and Wright—17.

Absent or not voting:

Senators Hartshorn, Hebard, and Kamrar—3.

So the motion of Senator Nichols prevailed.

On motion, Senators Arnold, Rothert, and Larrabee were appointed as Committee of Conference.

House resolution relative to permitting Henry Bell to keep a confectionery stand in hall between the two houses, was next considered.

Senator Smith moved that the Senate concur.

The motion was lost.

Senator Bills moved that the Senate concur in House amendment relative to appointing visiting committees to State institutions.

The motion prevailed.

#### SECOND READING OF BILLS.

Senate File No. 25 was taken up and considered, together with the report of the committee recommending indefinite postponement, and the report was adopted.

Senator Russell of Greene moved that Senate File No. 17 be indefinitely postponed.

The motion prevailed.

Senate File No. 11, a bill for an act to repeal chapter 123 of the acts of the Eighteenth General Assembly, in relation to fish-ways, was taken up.

Senator Larrabee moved that the rule be suspended, and the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

Senator Hemenway asked that he be excused from voting on the passage of the bill.

The request was granted.

Senator Hall moved to postpone further consideration of the bill until after the report of the Committee on Fish and Game upon a resolution heretofore referred to said committee.

Pending the discussion, Senator Clark of Wayne moved that the Senate adjourn.

The motion was lost.

The question recurring upon the motion before the Senate to postpone the same, was lost.

Senator Robinson moved that the bill be recommitted to the Committee on Fish and Game.

The motion was lost.

Senator Logan moved that the Senate do now adjourn.

The motion did not prevail.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Henderson, Hunt, Hutchison, Johnson, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—46.

The nays were—None.

Absent or not voting:

Senators Hartshorn, Hebard, Hemenway, and Kamrar—4.

So the bill passed, and the title was agreed to.

Senator Brown of Keokuk moved that the Senate do now adjourn until to-morrow at 10 o'clock.

The motion prevailed, and at 1 o'clock the Senate adjourned until to-morrow.

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SENATE CHAMBER. }  
DES MOINES, IOWA, January 25, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. S. S. Hunting.

The journal of yesterday was read and approved.

Pending the reading, the following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following Senate resolution without amendment:

Resolution relative to joint convention to compare journals on vote for United States Senators.

Also, have concurred in the report of the Conference Committee relative to adjournment.

E. C. HAYNES, *Chief Clerk.*

Senator Kamrar asked that the journal of to day shall show that if he had been present on yesterday he would have voted for James F. Wilson for United States Senator for the long term and James W. McDill for United States Senator for the short term.

The request was granted, and the journal so declares.

Senator Arnold, from Committee of Conference, submitted the following report, which, on motion of Senator Nichols of Muscatine, was adopted.

#### REPORT OF COMMITTEE OF CONFERENCE.

MR. PRESIDENT—Your Committee of Conference on the disagreement between the two houses on Concurrent Resolution No. 3, beg leave to report that they have met, and after a full and frank conference beg leave to report that the following substitute be adopted:

*Resolved*, That when the respective houses adjourn on Friday, the 27th inst., it be until the following Thursday, February 2d, at 2 o'clock P. M.

DELOS ARNOLD,  
*Chairman on part of Senate.*

LYMAN EVANS,  
*Chairman on part of House.*

Leave of absence for the remainder of this week was asked for Senator Hall.

Leave was granted.

#### PETITIONS.

Senator Clark of Page, on behalf of Senator Hebard, presented a petition from citizens of Tabor, Fremont county, praying that a geological survey of the State of Iowa be instituted at once.

Read and referred to the Committee on Ways and Means.

#### INTRODUCTION OF BILLS.

By Senator Larrabee of Fayette, Senate File No. 80, a bill for an act to establish a dental department at the Iowa State University.

Read a first and second time and referred to the Committee on State University.

Also, Senate File No. 81, a bill for an act providing for the consolidation of war and defense fund tax, collected and uncollected, to the State revenue.

Read a first and second time and referred to the Committee on Ways and Means.

By Senator Arnold of Marshall, Senate File No. 82, a bill for an act in relation to infectious and dangerous diseases among cattle.

Read first and second time, ordered printed and referred to the Committee on Agriculture.

By Senator Abraham, Senate File No. 83, a bill for an act to repeal part of section 2, and all of sections 3, 4, 5, 6, 7, and 8 of chapter 151, laws of the Eighteenth General Assembly.

Read a first and second time and referred to the Committee on Retrenchment.

By Senator Cotton, by request, Senate File No. 84, a bill for an act to amend section 3879 of the Code of 1873, in relation to carrying concealed weapons.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Sudlow, Senate File No. 85, a bill for an act to repeal section 2455, chapter 4, title 16 of the Code of 1873, relating to the descent of the estates of intestates.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Garber, Senate File No. 86, a bill for an act to amend section 934 of the Code of 1873, in relation to commissioners laying out highways.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Logan, Senate File No. 87, a bill for an act amending section 307 of the Code of 1873, in relation to publishing the proceedings of the board of supervisors.

Read a first and second time, ordered printed, and referred to the Committee on Printing.

By Senator Hutchison, by request, Senate File No. 88, a bill for an act to regulate the sale of coal oil, and to repeal chapter 172 of the acts of the Seventeenth General Assembly, and section 3901 of the Code.

Read a first and second time, ordered printed, and referred to the Committee on Municipal Corporations.

By Senator Russell of Jones, Senate File No. 89, a bill for an act to provide a State Entomologist, and for the publication of his reports.

Read a first and second time, ordered printed, and referred to the Committee on Agriculture.

By Senator Johnson, Senate File No. 90, a bill for an act to provide a fund from which to pay for sheep killed or injured by dogs.

Read a first and second time, ordered printed, and referred to the Committee on Agriculture.

Also, Senate File No. 91, a bill for an act to amend chapter 114 of the acts of the Sixteenth General Assembly, relating to the submission of amendments to the Constitution to a vote of the people.

Read a first and second time and referred to the Committee on Constitutional Amendments.

By Senator Cotton, Senate File No. 92, a bill for an act for the suppression of treating.

Read a first and second time and referred to the Committee on Suppression of Intemperance.

By Senator Smith, Senate File No. 93, a bill for an act to repeal section 456 of the Code, and to enact a substitute therefor, conferring additional powers on incorporated cities and towns.

Read a first and second time and referred to the Committee on Municipal Corporations.

By Senator Kamrar, Senate File No. 94, a bill for an act to repeal section 746, chapter 7, title 5 of the Code, in relation to the removal

and suspension from office of county and township officers, and to enact a substitute therefor.

Read a first and second time, ordered printed, and referred to the Committee on Ways and Means.

By Senator Boling, Senate File No. 95, a bill for an act to repeal section 821 of the Code in relation to the classification of property for assessment, and to enact a substitute therefor.

Read a first and second time and referred to the Committee on Ways and Means.

By Senator Clark of Page, Senate File No. 96, a bill for an act to repeal section 3327, chapter 5, title 20 of the Code of 1873, and to enact a substitute therefor in relation to cancellation of mortgages.

Read a first and second time, ordered printed, and referred to the Committee on Judiciary.

By Senator Hebard (Prox.), Senate File No. 97, a bill for an act establishing a geological survey of Iowa, and defining the purpose and work thereof.

Read a first and second time and referred to the Committee on Ways and Means, and ordered printed.

By Senator Kamrar, Senate File No. 98, a bill for an act to repeal chapter 115 of the laws of the Eighteenth General Assembly, and to enact a substitute therefor, in relation to the compensation of sheriffs.

Read a first and second time and referred to the Committee on Compensation of Public Officers.

By Senator Russell of Greene, Senate File No. 99, a bill for an act to repeal section 307 of the Code, and to enact a substitute therefor in relation to publishing proceedings of boards of supervisors.

Read a first and second time and referred to the Committee on Printing.

#### RESOLUTIONS.

Senator Marshall offered the following memorial and joint resolution in relation to the repeal of the pension arrears act:

WHEREAS, A bill has been introduced in Congress to repeal the pension arrears act; and,

WHEREAS, We are indebted to the heroic sacrifices of our soldiers for the preservation of the life of this nation, and for all its wealth and prosperity; and,

WHEREAS, We owe it to the soldiers of the republic, and especially to the troops of Iowa, of whose patriotism and powers we are so justly proud, to make requital in full to them and those depending on them for their noble services; therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

1. That our Senators be instructed, and our Representatives in Congress be requested to use their influence against the repeal of said bill until such time as the last soldier shall have received his just recompense and dues.

2. That the Secretary of State be directed to forward to the President of the United States Senate and the Speaker of the House of Representatives a copy of the foregoing resolutions, with the request that the same be laid before each house of Congress, and that a copy be sent to each Senator and member of Congress from this State.

Read a first and second time and referred to the Committee on Federal Relations.

Senator Johnson offered the following resolution, which was adopted:

*Resolved*, That the Secretary of State be authorized to ascertain for how much per copy the Iowa Legislative Manual can be procured for the use of the Nineteenth General Assembly.

#### REPORTS OF COMMITTEES.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 1, a bill for an act to amend section 890 of the Code relating to tax penalties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the words "per centum" in the third line and the words "per centum" in the seventh line be stricken out, and substituting "word" for "words" in the third and sixth lines, and striking out the entire second section; and when so amended that it do pass.

WM. LARRABEE, *Chairman*.

Ordered passed on file.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 8, a bill for an act to amend section 3811, and to repeal a part of section 3814, of the Code of 1873, defining a day's service for jurors and talesmen, and abolishing additional compensation to expert witnesses, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 42, a bill for an act providing additional ground for attachment, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 23, a bill for an act repealing section 1923 of the Code, and enacting a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-

ferred Senate File No. 61, a bill for an act to regulate the time of paying taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 52, a bill for an act to amend section 3864 of the Code of 1873, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that the title be amended by adding at the end thereof the words, "in relation to the penalty for attempts to produce a miscarriage," and that when so amended the bill do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Russell of Jones, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 58, a bill for an act to amend chapter 1, title 6 of the Code of 1873, and certain other acts relative to exemptions from taxation for planting fruit and forest trees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JOHN RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 79, a bill for an act for the prevention of glanders, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to Committee on Surgery and Hygiene.

JOHN RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 2, concurrent resolution complimentary to E. H. Calkins, for procuring an exhibition of California fruits at the annual meeting of the State Horticultural Society, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be passed by the Senate.

JOHN RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 73, a bill for an act to repeal section 4062, acts of Twelfth and Thirteenth General Assemblies, title 24, chapter 11, and



to substitute the following in lieu thereof, relative to noxious weeds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

JOHN RUSSELL, *Chairman*.

Ordered passed on file.

Senator Tirrill moved that the bill reported upon by the Committee on Agriculture, being Senate File No. 73, be referred back to said committee.

The motion was lost.

#### BILLS ON SECOND READING.

Senate File No. 8 was taken up and considered.

Senator Russell of Greene moved that the substitute recommended by the committee be ordered printed.

The motion prevailed, and the bill passed on file.

Senate File No. 7 was taken up.

Senator Nichols of Muscatine moved that the report of the committee relative thereto be adopted.

Senator Russell of Greene moved to amend by adding to the bill the following:

*Provided*, That this act shall not affect sales already made or penalties upon taxes paid upon sales made before the taking effect of this act.

Pending the consideration, the following message was received from the House:

#### MESSAGE FROM THE HOUSE.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution in which the concurrence of the Senate is asked:

A resolution relative to furnishing the committees of both houses with copies of the acts and resolutions of the Fifteenth, Sixteenth, Seventeenth, and Eighteenth General Assemblies.

Also, passed Senate File No. 21, a bill for an act to make appropriations for the College for the Blind.

Also, a joint resolution and memorial, relating to Mormonism.

E. C. HAYNES, *Chief Clerk*.

A committee from the House announced that the House is ready to receive the Senate in joint convention to compare journals on the election of United States Senators.

Senator Rothert moved that further consideration of the pending question be postponed until its regular order is reached on to-morrow.

The motion prevailed.

Senator Larrabee moved that the Senate take up House messages.

The motion prevailed.

## HOUSE MESSAGES.

House resolution relative to furnishing committees with session laws of the Sixteenth, Seventeenth, and Eighteenth General Assemblies, was taken up and considered.

Senator Larrabee moved that the Senate concur.

The motion prevailed.

Senator Tirrill moved that the Senate now proceed to meet the House in joint convention.

The motion carried, and at 11:55 o'clock the Senate repaired to the Hall of the House of Representatives.

The joint convention was called to order at 12 o'clock meridian, by President Manning.

The roll was called.

A majority of all the members of both houses was present.

The journal of the Senate of Tuesday, January, 24, 1882, was read relative to the vote cast for the office of United States Senator from Iowa in the Congress of the United States for the term beginning March 4, 1883.

Also was read that part of the journal relative to the vote for the office of United States Senator to fill the vacancy occasioned by the resignation of Hon. Samuel J. Kirkwood.

The journal of the House was read of January 24, 1882, relative to the vote cast for the office of United States Senator in the Congress of the United States, from the State of Iowa, for the term beginning March 4, 1883; and also that part of said journal relative to the vote cast for the office of United States Senator for the term occasioned by the resignation of Hon. Samuel J. Kirkwood.

It appearing from said journals that James F. Wilson had received a majority of all the votes cast in both houses for the office of United States Senator in the Congress of the United States, from Iowa, for term commencing March 4, 1883, said James F. Wilson was by the President declared duly elected as such Senator.

The following certificate was signed in the presence of the joint convention and was read at length:

STATE OF IOWA, }  
HALL OF THE HOUSE OF REPRESENTATIVES. }

This is to certify, that at a meeting of the two houses of the General Assembly of the State of Iowa, in joint convention, held on Wednesday, the 25th day of January, A. D. 1882, at noon, a majority of all the members of each house being present, it was found, upon examination of the journals of the respective houses, that upon the day before, the same being the second Tuesday after the meeting and permanent organization of the General Assembly, that each house had, by an open *visa voce* vote of the members present, named James F. Wilson, of Jefferson county, for Senator in Congress from the State of Iowa, for the term commencing the 4th day of March, 1883. Whereupon said joint convention formally declared said James F. Wilson, of Jefferson county, duly elected Senator to represent the State of Iowa

in the Congress of the United States for the term of six years, beginning the 4th day of March, 1883.

Signed in the presence of the joint convention.

O. H. MANNING,  
*President of the Senate, and of the Joint Convention.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

E. C. HAYNES,  
*Clerk of the House of Representatives and of Joint Convention.*

FRANK D. JACKSON,  
*Secretary of the Senate.*

ATTEST:

DELOS ARNOLD,  
*Teller on part of the Senate.*

THOMAS C. MCCALL,  
*Teller on part of the House.*

It appearing also from said journals that James W. McDill had received a majority of all the votes cast in both houses for the office of United States Senator from Iowa for the term occasioned by the resignation of Hon. Samuel J. Kirkwood, said James W. McDill was, by the President, declared duly elected as such Senator.

Senator Wright offered the following resolution, which was adopted:

*Resolved*, That James F. Wilson be declared the Senator elect from the State of Iowa to the Congress of the United States for the term commencing March 4, 1883; and that James W. McDill be declared the Senator elect from this State to the Congress of the United States to fill the vacancy occasioned by the resignation of Hon. Samuel J. Kirkwood.

The following certificate was signed in the presence of the joint convention, being read at length:

STATE OF IOWA, }  
HALL OF THE HOUSE OF REPRESENTATIVES. }

This is to certify, that at a meeting of the two houses of the General Assembly of the State, in joint convention, held upon Wednesday, the 25th day of January, A. D. 1882, at noon, a majority of all the members of each house being present, it was found upon examination of the journal of the respective houses that upon the day before, the same being the second Tuesday after the meeting and permanent organization of the General Assembly each house had, by an open *viva voce* vote of the members present, named James W. McDill, of the county of Union, for Senator in Congress from the State of Iowa, to fill a vacancy occasioned by the resignation of Samuel J. Kirkwood, whereupon said joint convention formally declared said James W. McDill, of said county of Union, duly elected Senator to represent the State of Iowa in the Congress of the United States for the remainder of the term ending the third day of March, A. D. 1883, in the place of said Samuel J. Kirkwood.

In testimony whereof, witness the hands of the President and Sec-

retary of the Senate, and the Speaker and Clerk of the House of Representatives, this 18th day of January, A. D. 1882.

O. H. MANNING,  
*President of the Senate and of the Joint Convention.*

G. R. STREUBLE,  
*Speaker of the House of Representatives.*

FRANK D. JACKSON,  
*Secretary of Senate.*

E. C. HAYNES,  
*Clerk of the House and of the Joint Convention.*

DELOS ARNOLD,  
*Teller on part of the Senate.*

THOMAS C. MCCALL,  
*Teller on part of the House of Representatives.*

Mr. Dungan moved to strike from said certificates the words "joint convention" and insert "joint assembly."

The motion carried, and the certificates were changed accordingly. Senator Clark of Page moved that the joint convention do now dissolve.

The motion carried, and at 12 m. the joint convention dissolved.

At 12:40 o'clock the Senate returned to the Senate Chamber, and was called to order by the President.

Leave of absence was asked for Senators Mitchell and Keller for the remainder of this week.

Leave was granted.

Senator Gillett moved that the Senate do now adjourn until 10 o'clock to-morrow.

The motion prevailed, and at 12:45 o'clock the Senate adjourned.

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SENATE CHAMBER, }  
DES MOINES, IOWA, January 26, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Alexander Scott.

The journal of yesterday was read and approved.

Pending the reading, the following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has passed the following bill and resolution, in which the concurrence of the Senate is asked:

House File No. 6, a bill for an act to repeal chapter 123, acts of the Eighteenth General Assembly, relating to fish-ways.

Concurrent resolution relative to obtaining information on the subject of State printing.

E. C. HAYNES, *Chief Clerk.*

## PRESENTATION OF PETITIONS OR MEMORIALS.

Senator Garber presented a petition from citizens of Clayton county, asking that the legislature offer a suitable reward to any one who will invent and put in operation a power to supplant that of steam.

Read and referred to the Committee on Ways and Means.

By Senator Logan, a remonstrance against granting a pardon to Lewis Weirich, now serving a term in the Penitentiary at Fort Madison.

Read and referred to the Committee on Penitentiary at Fort Madison.

## INTRODUCTION OF BILLS.

By Senator Wilson, Senate File No. 100, a bill for an act amendatory to section 4489 of the Code of 1873, relating to new trials in criminal cases, and providing an additional ground therefor.

Read a first and second time and referred to the Committee on Judiciary.

Also, Senate File No. 101, a bill for an act to repeal section 2310 of the Code of 1873, relating to the execution and acknowledgment of instruments of adoption of children, and to enact a substitute therefor.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Smith, Senate File No. 102, a bill for an act to suppress the practice of carrying concealed weapons.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Greenlee, Senate File No. 103, a bill for an act to amend section 2114, chapter 6, title 14 of the Code of 1873.

Read a first and second time, ordered printed, and referred to the Committee on Judiciary.

By Senator Brown of Van Buren, Senate File No. 104, a bill for an act to repeal section 979 of the Code, in relation to filling vacancies in the office of road supervisors, and enacting a substitute therefor.

Read a first and second time and referred to the Committee on County and Township Organization.

## REPORTS OF COMMITTEES.

Senator Wilson, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Senate resolution referring to the introductory portion of the Governor's message, relating to the election of United States Senators, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

W. M. WILSON, *Chairman*.

Ordered passed on file.

Senator Cotton, from the Committee on State Library, submitted the following report:

MR. PRESIDENT—Your Committee on State Library, to whom was re-

ferred Senate File No. 54, a bill for an act to amend section 1899 of the Code of 1873, relative to making appropriation for the State Library, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the title be amended by inserting after the words "eighteen hundred and seventy-three," the following: "as amended by chapter 194, laws of the Eighteenth General Assembly." That section 1 be amended by inserting after the word "Code," the words, "as amended by chapter 194, laws of the Eighteenth General Assembly" and after the word "Assembly," in the last line of said section, the words, "from and after the 1st day of January, 1882," and when so amended the same do pass.

W. A. COTTON, *Chairman*.

Ordered passed on file.

Senator Johnson, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred Senate File No. 91, a bill for an act to amend chapter 114, of the acts of the Sixteenth General Assembly, relating to, the submission of amendments to the Constitution to a vote of the people, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. K. JOHNSON, *Chairman*.

Ordered passed on file.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 39, a bill for an act relating to the trial of equitable actions, amending section 2724, chapter 9, title 13 of the Code of Iowa, as amended by chapter 145 of the laws of the Seventeenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the words, "section as amended," in first line of section 2, be stricken out, and the word "act" inserted in place thereof; and as thus amended it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 85, a bill for an act to repeal section 2455, chapter 4, title 16 of the Code of 1873, relating to the descent of the estates of intestates, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

The President announced the following list of

#### VISITING COMMITTEES.

Penitentiary at Ft. Madison—Senator Hemenway.

Penitentiary at Auomosa, Senator Wilson.

Institution for the Deaf and Dumb—Senator Rothert.  
Hospital for Insane at Mt. Pleasant—Senator Shrader.  
Hospital for Insane at Independence—Senator Johnson.  
Orphans' Home—Senator Cotton.  
Hatching-house at Anamosa—Senator Robinson.  
Reform School for Boys—Senator Marshall.  
State University—Senator Graves.  
Normal School—Senator Brown of Keokuk.  
College for the Blind—Senator Henderson.  
Agricultural College—Senator Parker.  
Asylum for Feeble-Minded Children—Senator Logan.  
Reform School for Girls—Senator Tirrill.  
State Hatching-house at Spirit Lake—Senator Whaley.

By leave, Senator Hartshorn introduced Senate File No. 105, a bill for an act to regulate the leasing of the lands belonging to the Iowa State Agricultural College, and to repeal chapter 71, of the public acts of 1874.

Read a first and second time, ordered printed, and referred to the Committee on Agricultural College.

Also, Senate File No. 106, a bill for an act to prohibit school directors from employing as teacher near relatives, or members of their own families; and to prohibit such school directors, school secretaries, county superintendents, and principals of public schools, from acting as agents for the sale of articles of supply for schools.

Read a first and second time, ordered printed, and referred to the Committee on Schools.

Leave of absence was asked for to-morrow for Senators Robinson, Russell of Greene, Graves, Shrader, and Wright.

Leave was granted.

The consideration of Senate File No. 1 was resumed.

Senator Arnold was granted leave of absence the remainder of this week.

The motion of Senator Nichols that the report of the committee be adopted, was agreed to.

Senator Russell of Greene moved to amend the bill by adding the following:

*Provided*, That this act shall not affect sales already made or penalties upon taxes hereafter paid upon sales made before the taking effect of this act.

The motion prevailed.

Senator Nichols of Muscatine moved that the eleventh rule be suspended, the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Bills, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Graves, Greenlee, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Muscatine, Nielander, Patrick, Poyneer, Prizer, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—35.

The nays were:

Senators Baker, Boling, Brown of Van Buren, Harmon, Hartshorn, Parker, and Robinson—7.

Absent or not voting:

Senators Arnold, Garber, Hall, Hebard, Keller, Mitchell, Nichols of Guthrie, and Rothert—8.

So the bill passed, and the title as amended was agreed to.

Excuse for absence for to-morrow was granted Senators Wilson, Nielander, Wall, and Logan.

Senate File No. 42 was taken up and considered.

Senator Wright moved that further consideration of the bill be indefinitely postponed.

The motion prevailed.

Senate File No. 23 was taken up and considered.

Senator Wright moved that the bill be indefinitely postponed.

The motion prevailed.

Senate File No. 61 was taken up for consideration.

Senator Russell of Greene moved that the report of the committee recommending a reference of the bill to the Committee on Ways and Means be adopted.

The motion was agreed to, and the bill so referred.

Senate File No. 52 was taken up and considered.

Senator Russell of Greene moved that the bill pass on file, which motion prevailed.

Senate File No. 58 was taken up and considered, and on motion of Senator Poyneer was indefinitely postponed.

Senate File No. 79 was taken up, and on motion of Senator Abraham was indefinitely postponed.

The report of the Committee on Federal Relations, relative to certificates of election of United States Senators, was taken up, considered and adopted.

Senate File No. 73, in relation to noxious weeds, was taken up.

Senator Hunt moved that the bill be now engrossed.

The motion was lost.

Senator Poyneer moved that the bill be indefinitely postponed.

The motion was agreed to.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 4, a bill for an act requiring the judges of the Supreme Court, to prepare the head-notes of the opinions filed.

Also, the following joint resolution: That the liberty of the floor of the House and Senate be accorded to his Excellency Governor St. John of Kansas, now visiting in this city.

Also, has concurred in Senate joint resolution relating to printing additional copies of the Fourth Annual Report of Railroad Commissioners.

E. C. HAYNES, *Chief Clerk.*



Senate File No. 54, in relation to an appropriation for the Iowa State Library, was taken up, considered, and there being no objection was ordered passed on file.

Senator Gillett moved to take up House messages.

The motion was agreed to.

#### HOUSE MESSAGE.

House concurrent resolution, relative to Governor St. John of Kansas, was considered.

Senator Graves moved that the Senate concur.

The motion prevailed.

The Chair appointed Senator Johnson as a committee on the part of the Senate.

Senator Whaley was granted leave of absence for to-morrow.

Senate File No. 91, relating to submission of amendments to the Constitution to a vote of the people, was taken up and considered.

Senator Johnson moved that the rule be suspended, and the bill be considered engrossed, and read a third time.

The motion carried and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Arnold, Clark of Wayne, Hall, Hebard, Keller, Mitchell, and Nichols of Guthrie—7.

So the bill passed and the title was agreed to.

Senate File No. 39 was taken up and considered.

The report of the committee was adopted.

Senator Russell of Greene moved to suspend the rule, consider the bill engrossed, and read a third time.

The motion was agreed to, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wilson—41.

The nays were—None.

Absent or not voting:

Senators Arnold, Clark of Wayne, Greenlee, Hall, Hebard, Keller, Mitchell, Nichols of Guthrie, and Wright—9.

So the bill passed, and the title was agreed to.

Senator Sudlow moved that the Senate now adjourn.

The motion prevailed, and the Senate adjourned until 10 o'clock to-morrow.

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SENATE CHAMBER.  
DES MOINES, IOWA, January 27, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. L. A. Johnston.

The journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House, and ordered passed on file:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 20, a bill for an act to legalize the incorporation of the town of Redfield, Iowa.

E. C. HAYNES, *Clerk*.

PRESENTATION OF PETITIONS AND MEMORIALS.

By Senator Hunt, a petition from citizens of Adair county, asking for a law requiring compulsory attendance at school.

Read a first and second time and referred to the Committee on Schools.

INTRODUCTION OF BILLS.

By Senator Harmon, Senate File No. 107, a bill for an act authorizing the location of a highway across land belonging to the State of Iowa.

Read a first and second time and referred to the Committee on Highways.

By Senator Garber, Senate File No. 108, a bill for an act to regulate the working of highways.

Read a first and second time, ordered printed, and referred to the Committee on Highways.

By Senator Smith, Senate File No. 109, a bill for an act requiring city councils and boards of trustees of cities and towns organized under the general incorporation laws of Iowa to pass annual appropriation ordinances and to limit the expenditure of money by them.

Read a first and second time, ordered printed, and referred to the Committee on Municipal Corporations.

By Senator Kamrar, Senate File No. 110, a bill for an act to prevent the carrying or sale of certain weapons, and to confiscate the same.

Read a first and second time and referred to the Judiciary Committee.

#### COMMUNICATIONS ON THE PRESIDENT'S TABLE.

The President submitted the following communication, which was read and ordered passed on file:

DES MOINES, IOWA, January 26, 1882.

*President of the Iowa Senate*—The State Temperance Committee take pleasure in extending a cordial invitation to the members of the Iowa Senate to be present at Moore's Opera House the evening of January 27th, on the occasion of the address of Governor St. John, of Kansas, on prohibition.

Respectfully,

AARON KIMBALL, *President*.

B. F. WRIGHT, *Secretary*.

Also the following:

STATE OF IOWA, }  
OFFICE OF SECRETARY OF STATE, }  
DES MOINES, January 26, 1882. }

*To the Honorable Senate of Iowa:*

I beg leave to report that, in compliance with resolution of the Senate, I have ascertained the cost of the Iowa Legislative Manual. The publisher agrees to furnish for use of General Assembly six hundred copies, or more, for fifty cents per copy. One copy for each member with his name printed on book.

All of which is respectfully submitted.

J. A. T. HULL,  
*Secretary of State*.

#### REPORTS OF COMMITTEES.

Senator Hartshorn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 20, a bill for an act to amend section 1717, of chapter 9, title 12 of the Code of Iowa, so as to enable the board of directors of district townships to procure highways to school-house sites, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 81, a bill for an act providing for the consolidation of the war and defense bond tax with the State revenue, beg

leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

LARRABEE, *Chairman*.

Ordered passed on file.

BILLS ON SECOND READING.

Senate File No. 81, a bill for an act providing for the consolidation of the war and defense bond tax with the State revenue, with report of committee recommending that the bill do pass, was taken up and considered.

Senators Prizer and Marshall were granted leave of absence.

Senator Larrabee moved that the rule be suspended and the bill be considered engrossed, and read a third time now. Carried.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Nichols of Benton, Nichols of Muscatine, Parker, Patrick, Poyneer, Russell of Jones, Smith, Sudlow, Tirrill, Wall, and Whaley—32.

The nays were—None.

Absent or voting nay:

Senators Arnold, Bills, Graves, Hall, Hebard, Keller, Logan, Marshall, Mitchell, Nichols of Guthrie, Nielander, Prizer, Robinson, Rother, Russell of Greene, Shrader, Wilson, and Wright—18.

So the bill passed, and the title was agreed to.

Senator Nichols of Benton moved to reconsider the vote by which Senate File No. 79 was postponed.

The motion prevailed.

The bill was ordered printed, and on motion referred to the Committee on Medicine, Surgery, and Hygiene.

Senate File No. 54, a bill for an act to amend the Code of 1873 in relation to making appropriation for the State Library, was taken up, considered, and on motion recommitted to the Committee on State Library.

Senate File No. 85, a bill for an act to amend the Code of 1873, in relation to the descent of estates of intestates, was taken up, considered, and the report of the committee recommending indefinite postponement, was adopted.

Senator Clark of Page, by leave, offered the following resolution, which was unanimously adopted:

WHEREAS, Hon. W. E. Webster, a member of the House of Representatives from Page county, has, after a short illness, been removed from this sphere of action by the hand of death; and,

WHEREAS, We deem it fitting that as a mark of our respect for the deceased, and as an expression of our sympathy with the bereaved family, the Senate should appoint members from its body to accompany the remains as part of the escort to the late home of the deceased; therefore,

*Be it resolved by the Senate,* That there be appointed by the President of the Senate four Senators to accompany the remains as an escort to the late residence of the deceased.

The chair appointed Senators Abraham, Gillett, Dashiell, and Brown of Van Buren as such committee of escort.

#### HOUSE MESSAGES.

House joint resolution relative to Mormonism, was taken up, considered, and referred to the Committee on Federal Relations.

House File No. 6, a bill for an act to repeal chapter 123, acts of the Eighteenth General Assembly, relative to fish-ways, was taken up, considered, and ordered passed on file.

House joint resolution to appoint a committee to inquire whether a better classification of State printing matter could be made, and better rates obtained, was read and referred to the Committee on Printing.

House File No. 4, a bill for an act requiring the judges of the Supreme Court to prepare head notes of the opinions filed, was taken up.

Read a first and second time and referred to the Judiciary Committee.

House File No. 20, a bill for an act to legalize the incorporation of the town of Redfield, Iowa, was taken up.

Read a first and second time and referred to the Judiciary Committee.

House File No. 14, a bill for an act to legalize acts of the town of Salem, in Henry county, Iowa, was taken up and considered.

Read a first and second time and referred to the Judiciary Committee.

Senate File No. 20, a bill for an act to enable boards of directors of district townships to procure highways to school-house sites, was taken up, considered, and ordered passed on file.

Senator Russell of Jones moved that the Senate now take a recess of fifteen minutes.

The motion prevailed.

At 11:15 o'clock the Senate was called to order.

Senator Larrabee moved that out of respect to the memory of Hon. W. Webster, deceased, late a member of the House of Representatives from Page county, the Senate do now adjourn.

The motion prevailed, and at 11:30 o'clock the Senate adjourned until the 2d day of February at 2 o'clock P. M.

SENATE CHAMBER,  
Des Moines, Iowa, February 2, 1882. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. W. J. Young.

The journal of the last day's proceedings was read and approved.  
Senator Hutchison was excused for to-day.

#### PRESENTATION OF PETITIONS OR MEMORIALS.

By Senator Harmon, a petition from residents of Buchanan county, asking that the Constitution of the State of Iowa be amended so as to establish the equal political rights of all American citizens, irrespective of sex.

Referred to the Committee on Constitutional Amendments.

#### INTRODUCTION OF BILL.

By Senator Nichols of Muscatine, Senate File No. 111, a bill for an act relating to the duties of the State Board of Equalization.

Read a first and second time and referred to the Committee on Ways and Means.

Senators Gillett and Wilson were excused until to-morrow.

Senator Logan, by leave, offered the following joint resolution, which was read a first and second time:

A joint resolution instructing our Senators, and requesting our Representatives, in Congress to prevent an increase of duty on steel blooms and wire rods.

Senator Russell of Jones moved to amend the resolution by adding: "That the Secretary of State be instructed to forward a copy of this resolution to each member of Congress from the State of Iowa."

The motion to amend prevailed.

Senator Russell of Jones moved that the rule be suspended, the resolution be considered engrossed, and read a third time now.

The motion was lost.

On motion of Senator Greenlee the joint resolution was referred to the Committee on Ways and Means, with instructions to report upon the resolution within two days.

Leave of absence was asked for Senator Wall until Tuesday next.

Leave was granted.

The absence of Senators Russell of Greene, Wright, and Whaley was excused until to-morrow.

#### BILLS ON SECOND READING.

Senate File No. 20, a bill for an act to amend the Code of 1873, so as to enable the board of directors of district townships to procure highways to school-house sites, was taken up and considered, and, on motion of Senator Tirrill, ordered passed on file.

On motion of Senator Clark of Page, at 3 o'clock P. M., the Senate adjourned until to-morrow.

SENATE CHAMBER,  
DES MOINES, IOWA, February 3, 1882. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. J. B. Stewart.

The journal of yesterday was read and approved.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House File No. 146, a bill for an act to legalize the official acts, as notary public, of William Chaffee of Black Hawk county.

Also, House File No. 53, a bill for an act to legalize the proceedings of the town council of the town of Corning, Adams county, Iowa, held on the 3d day of June, 1879, vacating a certain alley in said town.

E. C. HAYNES, *Chief Clerk.*

#### PRESENTATION OF PETITIONS OR MEMORIALS.

By Senator Logan, a petition from citizens of Monona county, pray for the enactment of a law compelling parents and guardians to send their children to school, or pay a penalty unless they have a reasonable excuse.

Read and referred to the Committee on Schools.

By Senator Abraham of Henry, a petition from Dr. Mark Ranney and other citizens of Henry county, asking relief for John J. Golden of Henry county, who was injured while in the employ of the State of Iowa, without fault or negligence on his part.

Read and referred to the Committee on Claims.

By Senator Arnold of Muscatine, a petition from members of the society known as the Illinois Yearly Meeting of Friends, asking that the law relating to prisoners be amended in accordance with the recommendation of the Warden of the Penitentiary at Fort Madison in his printed report; to-wit,

That good conduct and perfect obedience to prison rules shall shorten terms of imprisonment; and, also, that the longest sentence shall not exceed thirty-three years.

Read and referred to Committee on Penitentiary.

#### INTRODUCTION OF BILLS.

By Senator Parker of Cerro Gordo, Senate File No. 112, a bill for an act to legalize the incorporation and corporate acts of the town of Rockwell.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Smith of Polk, Senate File No. 113, a bill for an act to

increase the number of circuit judges in all of the circuits of this State containing cities having a population in excess of twenty thousand, and to provide for the appointment and election of said judges.

Read a first and second time and referred to the Committee on Judiciary.

Also, Senate File No. 114, a bill for an act to change the boundaries of the first and second circuits of the Fifth Judicial District of the State of Iowa.

Read a first and second time and referred to the Committee on Judicial Districts.

By Senator Poyneer, Senate File No. 115, a bill for an act to legalize the incorporation of the town of Orford, and the change of name to Montour.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Dashiell, Senate File No. 116, a bill for an act to amend section 175 of the Code of 1873, in relation to interchange of judges.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Hall, Senate File No. 117, a bill for an act to amend section 1144, of chapter 4, title 9 of the Code of the State of Iowa, in relation to mutual insurance companies.

Read a first and second time, ordered printed, and referred to the Committee on Insurance.

By Senator Nielander, Senate File No. 118, a bill for an act to amend section 3791 of the Code, relating to the compensation of county supervisors.

Read a first and second time and referred to the Committee on Compensation of Public Officers.

By Senator Arnold, Senate File No. 119, a bill for an act to authorize cities of the second class to change their corporate names, and to prescribe the manner in which such change may be made.

Read a first and second time and referred to the Committee on Municipal Corporations.

By Senator Tirrill, Senate File No. 120, a bill for an act to appropriate money for a furnace for use in the Girls' Department of the State Reform School at Mitchellville.

Read a first and second time and referred to the Committee on Appropriations.

Senator Tirrill moved to amend by striking out "Appropriations" and inserting "Reform Schools."

The motion was agreed to, and the motion as amended prevailed.

A message from the Governor was received, at the hands of his Private Secretary, Welker Given, and placed on the President's table.

Senator Garber was granted leave of absence until Tuesday next.

By Senator Brown of Van Buren, Senate File No. 121, a bill for an act to amend section 4, chapter 130, laws of the Sixteenth General Assembly, in relation to cemeteries.

Read a first and second time and referred to the Committee on County and Township Organization.



Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 21, and find the same correctly enrolled:

T. E. CLARK, *Chairman*.

Leave of absence was asked for Senator Wilson until to-morrow.

Leave was granted.

#### RESOLUTIONS.

Senator Hartshorn offered the following resolution, which was adopted:

*Resolved*, That on and after Tuesday next the Senate will have one session daily, meeting at 9:30 o'clock A. M. and adjourning at 12 M., except on Mondays, when the hour for convening shall be 2 o'clock P. M.

By Senator Larrabee:

*Resolved*, That the Secretary of State is hereby requested to inform the Senate why reports of all State institutions have not been distributed as required by law.

Senator Gillett moved to strike from the resolution the words "Secretary of State" and insert "Committee on Printing."

The amendment was accepted, and the resolution as amended was adopted.

Senator Nichols of Benton was excused until Wednesday next.

#### REPORTS OF COMMITTEES.

Senator Hartshorn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 41, a bill for an act in relation to the loaning and management of the permanent school fund, and repealing section 1865 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying substitute, and recommend that the substitute do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

#### MESSAGE FROM THE HOUSE.

The following message was received and ordered passed on file:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 147, a bill for an act to fix the terms of courts in the Fifth Judicial District of the State of Iowa, and in the first and second circuits of said district, and to provide for writs, processes, and recognizances being returnable thereto, was taken up.

E. C. HAYNES, *Clerk*.

## HOUSE MESSAGES.

House File No. 146, a bill for an act to legalize the official acts as notary public of William Chapple, of Black-Hawk county, was taken up.

Read a first and second time and referred to the Judiciary Committee.

House File No. 53, a bill for an act to legalize the proceedings of the town council of Corning, in Adams county, Iowa, held on the third day of June, 1879, vacating a certain alley in said town, was taken up.

Read a first and second time and referred to the Judiciary Committee.

House File No. 147, a bill for an act to fix the terms of court in the Fifth Judicial District of the State of Iowa, and in the first and second circuits of said district, and to provide for writs, processes, and recognizances being returnable thereto.

Read a first and second time.

Senator Nichols of Guthrie moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patriok, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Cotton, Garber, Graves, Hebard, Nichols of Benton, Wall, and Wilson—7.

So the bill passed, and the title was agreed to.

## COMMUNICATIONS ON THE PRESIDENT'S TABLE.

The President submitted a joint resolution and memorial from the legislature of Nebraska, showing; that,

WHEREAS, The laws of Nebraska exempt from attachment, execution, and garnishment, for sixty days, the wages of citizens of Nebraska who are heads of families; and,

WHEREAS, The practice has grown up of fraudulently assigning such claims and demands against citizens of Nebraska, to have the said claims prosecuted in the courts of Iowa, and so defeating the operation of the exemption laws of the State of Nebraska; therefore, praying for the enactment of a law in Iowa allowing to citizens of Nebraska, who are heads of families, the same benefits of exemption when so prosecuted as they now may have when prosecuted in Nebraska.

The memorial was read and referred to a select committee consisting of Senators Wright, Harmon, and Robinson.

## BILLS ON SECOND READING.

Senate File No. 52, a bill for an act to amend section 3864, of the Code of 1873, with the report of committee recommending that the title of the bill be amended adding after figures "1873" the words "in relation to the penalty for attempting to produce miscarriage," and that when so amended it do pass, was taken up, considered and the report of the committee was adopted.

Senator Russell of Greene moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion prevailed.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Gillett, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley and Wright—40.

The nays were:

Senators Hall and Russell of Greene—2.

Absent or not voting:

Senators Clark of Wayne, Cotton, Garber, Graves, Hebard, Nichols of Benton, Wall, and Wilson—8.

So the bill passed, and the title as amended was agreed to.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

Senate File No. 148, a bill for an act to legalize the incorporation of the town of Logan, Harrison county.

E. C. HAYNES, *Clerk.*

On motion of Senator Hartshorn, Senate File No. 20, a bill for an act to amend section 1717, of chapter 9, title 12 of the Code of 1873, was taken up and considered.

Senator Johnson moved that the bill be ordered printed and passed on file.

The motion prevailed.

The Senate adjourned until 10 o'clock to-morrow.

SENATE CHAMBER,  
DES MOINES, IOWA, February 4, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Nash.

The journal of yesterday was read and approved.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 148, a bill for an act to legalize the incorporation of the town of Logan, Harrison county.

E. C. HAYNER, *Chief Clerk*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution, in which the concurrence of the Senate is asked:

Relative to printing Governor Gear's biennial message in foreign languages.

J. L. WILSON, *First Assistant Clerk*.

#### INTRODUCTION OF BILLS.

By Senator Shrader, Senate File No. 122, a bill for an act amend chapter 151, laws of the Eighteenth General Assembly, in relation to the State Board of Health and vital statistics.

Read a first and second time, ordered printed, and referred to the Committee on Medicine, Surgery, and Hygiene.

Also, Senate File No. 123, a bill for an act relative to the employment by railroad companies of persons affected with defective sight or color-blindness.

Read a first and second time, ordered printed, and referred to the Committee on Railways.

By Senator Hartshorn, Senate File No. 124, a bill for an act to repeal section 3755 of the Code, and to enact a substitute therefor, in relation to the salary of the Governor and Private Secretary of the Governor.

Read a first and second time and referred to the Committee on Compensation of Public Officers.

By Senator Poyneer, Senate File No. 125, a bill for an act to legalize defective acknowledgements to written instruments in this State.

Read first and second time, ordered printed, and referred to the Judiciary Committee.

By Senator Baker, Senate File No. 126, a bill for an act to amend chapter 183 of the acts of the Eighteenth General Assembly, relating to the bonding of county indebtedness.

Read a first and second time and referred to the Committee on Ways and Means.

By Senator Marshall, Senate File No. 127, a bill for an act to prohibit corporal punishment in public schools of the State of Iowa.

Read a first and second time, ordered printed, and referred to the Committee on Schools.

By Senator Wright, Senate File No. 128, a bill for an act providing for holding terms of the District and Circuit Courts at Avoca, in the county of Pottawattamie, in the Thirteenth Judicial District of the State of Iowa.

Read a first and second time, ordered printed, and referred to the Committee on Judiciary.

By Senator Smith, Senate File No. 129, a bill for an act granting additional powers to cities organized under the general incorporation laws of the State.

Read a first and second time, ordered printed, and referred to the Committee on Municipal Corporations.

Also, Senate File No. 130, a bill for an act to authorize certain cities to levy a special tax to purchase property for park purposes and for the improvement of parks.

Read a first and second time and referred to the Committee on Municipal Corporations.

By Senator Russell of Greene, Senate File No. 131, a bill for an act to regulate admission to practice as attorneys and counsellors in the courts of this State.

Read a first and second time and referred to the Committee on Judiciary.

#### REPORTS OF COMMITTEES.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Joint Resolution No. 1, relating to the duty on steel blooms and wire rods, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by changing the phraseology, in the first line, so as to read, "requesting our Senators and Representatives," instead of "instructing our Senators and requesting our Representatives"; and that when so amended that it do pass.

WM. LARRABEE, *Chairman.*

Ordered passed on file.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 47, a bill for an act to amend section 2155 of the Code of 1873, relating to limited partnership, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted and do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 11, a bill for an act to amend section 4424 of the Code, and to enact a substitute therefor, in relation to defendants jointly indicted, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Baker, from the Committee on Medicine, Surgery, and Hygiene, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery, and Hygiene, to whom was referred Senate File No. 22, a bill for an act to insure the better education of practitioners of dentistry in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the following recommendations: Insert in the blank space in section 8 the words "such offense." Strike out the words "December fifteenth" where they occur in section 9, and insert in lieu thereof the words "November fifteenth." Strike out in section 11 the last five words "for the relief of pain"; and when so amended that the bill do pass.

H. A. BAKER, *Chairman*.

Ordered passed on file.

Senator Marshall, from the Committee on Reform Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Reform Schools, to whom was referred Senate File No. 120, a bill for an act to appropriate money for a furnace for use in the Girls' Reform School at Mitchellville, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

C. A. MARSHALL, *Chairman*.

Ordered passed on file.

Senator Wright, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 119, a bill for an act to authorize cities of the second class to change their corporate names and to prescribe the manner in which said change may be made, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments: Insert after the word "resolution" in the second line of section 2 the words "passed by a majority of the whole number of members elected to the council."

And when so amended the bill do pass.

WRIGHT, *Chairman pro tem*.

Ordered passed on file.

## PETITION.

Senator Rothert, by leave, presented a petition of Sarah E. Smith, relative to her claim against the State of Iowa.

Referred to the Committee on Claims.

## BILLS ON SECOND READING.

Senator Arnold moved that Senate File No. 119, a bill for an act to authorize cities of the second class to change their corporate names, be taken up and considered. Carried.

The report of the committee was adopted.

Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Garber, Graves, Hebard, Nichols of Benton, Wall, and Wilson—6.

So the bill passed, and the title was agreed to.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked.

House File No. 138, a bill for an act to legalize acknowledgments of conveyances by power of attorney, made by John W. McMillan, attorney-in-fact for Robert M. Wingate.

A. W. RENSHAW, *Assistant Clerk.*

## REPORT OF COMMITTEE.

Senator Hutchison, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 45, a bill for an act to repeal chapter 573 of the Code, and enact a substitute therefor, in relation to the time for holding general election, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the last section of said bill be amended by striking out the word "it," where it occurs in

said section, and insert in lieu thereof the words, "general election," and when so amended the bill do pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 28, a bill for an act for the registry of electors, and to prevent fraudulent voting, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

#### INTRODUCTION OF BILLS.

Senator Russell of Greene, by leave, introduced Senate File No. 132, a bill for an act to legalize the incorporation, ordinances, and official proceedings of the town of Scranton, in Greene county, Iowa.

Read a first and second time and referred to the Committee on Judiciary.

Senator Gillett, by leave, introduced Senate File No. 133, a bill for an act to amend sections 2077 and 2078, and to repeal sections 2079, 2080, and 2081 of the Code, relating to the rate of interest.

Read a first and second time and referred to the Committee on Judiciary.

By leave, Senate File No. 120, a bill for an act to appropriate money for a furnace in the Girls' Department of the State Reform School at Mitchellville, with report of the committee recommending that the bill do pass, was taken up for consideration.

Senator Tirrill moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion carried, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiehl, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Garber, Graves, Hebard, Nichols of Benton, Russell of Greene, Wall, and Wilson—7.

So the bill passed, and the title was agreed to.

#### BILLS ON SECOND READING.

Senate File No. 8, a bill for an act to amend section 3811, and to repeal part of section 3814 of the Code of 1873, defining a day's service for jurors and talesmen and abolishing additional compensation to ex-



pert witnesses, with report of the committee recommending a substitute, and that it do pass, was taken up and considered.

Senator Hartshorn moved to strike out "Ottumwa Courier" in the publication clause, and substitute "Daily State Leader."

The motion was lost.

Senator Larrabee moved to strike from the substitute section 2, being the publication clause.

The motion prevailed, and the substitute recommended by the committee, as amended, was adopted.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill:

Senate File No. 81, a bill for an act to provide for the consolidation of the war and defense fund tax with the State revenue.

A. W. RENSCHAW, *Assistant Clerk.*

Senator Russell of Greene moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Gillett, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Larrabee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Parker, Poyneer, Robinson, Russell of Greene, Russell of Jones, Smith, Tirrill, Whaley, and Wright—28.

The nays were:

Senators Arnold, Baker, Bills, Cotton, Greenlee, Hall, Johnson, Kamrar, Keller, Mitchell, Nielander, Prizer, Shradler, and Sudlow—15.

Absent or not voting:

Senators Garber, Graves, Hebard, Nichols of Benton, Rothert, Wall, and Wilson—7.

So the bill passed, and the title was agreed to.

Senator Tirrill, from the special committee appointed to visit the Girls' Department of the State Reform School at Mitchellville, submitted a report, which was ordered printed and passed on file.

#### HOUSE MESSAGE.

Senator Gillett had leave to call up House File No. 138, a bill for an act to legalize acknowledgments of conveyances, by power of attorney, made by John W. McMillan, attorney-in-fact for Robert M. Wingate.

Read a first and second time and referred to the Committee on Judiciary.

On motion of Senator Greenlee, at 12:15 o'clock, the Senate adjourned until Monday at 2 o'clock, P. M.

SENATE CHAMBER.  
DES MOINES, IOWA, February 6, 1882. }

The Senate met pursuant to adjournment and was called to order by President.

Prayer by Rev. Shurer.

The journal of last day's proceedings was read and approved.

#### PRESENTATION OF PETITIONS.

By Senator Abraham, a petition from citizens of Henry county, praying for the passage of an act for the suppression of the circulation and vending of obscene literature.

Referred to the Judiciary Committee.

By Senator Larrabee, a petition of citizens of Fayette county, asking for a support for a bill introduced in the House relating to the salaries of clerk of the courts, county auditor, and treasurer.

Read and referred to the Committee on Compensation of Public Officers.

Leave of absence was asked for Senators Bills and Kamrar until Wednesday. Granted.

#### INTRODUCTION OF BILLS.

By Senator Whaley, Senate File No. 134, a bill for an act to amend section 4374, chapter 24, title 25 of the Code, in relation to change of venue.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Wright, Senate File No. 135, a bill for an act in relation to the exemption of sewing machines from execution and attachment.

Read a first and second time, ordered printed, and referred to the Committee on Judiciary.

By Senator Prizer, Senate File No. 136, a bill for an act requiring notice to the governing body of cities or incorporated towns for damage for injuries sustained by reason of defective or obstructed sidewalks.

Read a first and second time, ordered printed, and referred to the Committee on Municipal Corporations.

By Senator Graves, Senate File No. 137, a bill for an act authorizing cities incorporated under special charters to reduce their limits.

Read a first and second time and referred to the Committee on Municipal Corporations.

By Senator Dashiell, Senate File No. 138, a bill for an act to prevent frequenting and lounging about saloons.

Read a first and second time, ordered printed, and referred to the Committee on Suppression of Intemperance.

By Senator Gillett, Senate File No. 139, a bill for an act to promote the efficiency of the telegraph service, and to facilitate the transmission and delivery of messages within the State of Iowa.

Read a first and second time, ordered printed, and referred to the Committee on Judiciary.

By Senator Smith, Senate File No. 140, a bill for an act to amend section 894, chapter 2, title 6 of the Code of 1873, in relation to giving notice in case of taxsales before execution of deed.

Read a first and second time and referred to the Committee on Ways and Means.

By Senator Hall, Senate File No. 141, a bill for an act to amend section 1548, chapter 6, title 11 of the Code of 1873, relating to persons found in a state of intoxication.

Read a first and second time and referred to the Committee on Judiciary.

Also, Senate File No. 142, a bill for an act requiring that officers in certain cities may receive a fixed compensation, and that all fees now allowed such officers shall be paid into the treasuries of such cities.

Read a first and second time, ordered printed, and referred to the Committee on Municipal Corporations.

#### RESOLUTIONS.

Senator Boling offered the following resolution:

*Resolved by the Senate, the House concurring,* That all bills for the appropriation of public money for any purpose shall be presented to the respective houses of this General Assembly on or before Wednesday, the fifteenth day of February, 1882, and that after said dates no bills will be received, except upon the unanimous consent of either house, except the general appropriation act.

Senator Arnold moved to amend the resolution by adding: "and excepting bills presented by committees."

The amendment was accepted.

Senator Nichols of Guthrie offered an amendment by adding the words "of that character" after the word "bills" in the ninth line.

The amendment was accepted.

Senator Larrabee moved to strike from the resolution the words "the House concurring."

The motion prevailed.

Senator Robinson moved to amend the resolution by striking out the words "either House" in the eleventh line and inserting the words "the Senate."

The amendment was accepted.

Senator Brown of Keokuk moved that the resolution be referred to the Committee on Appropriations, which motion was agreed to.

#### REPORTS OF COMMITTEES.

Senator Brown of Van Buren, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate resolution in relation to printing Governor Gear's message and Governor Sherman's inaugural address in certain foreign languages, beg leave to report that they have had the same under consideration, and have adopted substitute therefor herewith reported, and

have instructed me to report the same back to the Senate with the recommendation that the same do pass.

ALEX. BROWN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate resolution in regard to printing a new edition of the Constitution of 1857, etc., beg leave to report that they have had the same under consideration, and have adopted the substitute therefor herewith reported, and have instructed me to report the same back to the Senate without recommendation.

ALEX. BROWN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing, to whom was referred House concurrent resolution in relation to the appointment of a committee to inquire in regard to State printing and other matters, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

ALEX. BROWN, *Chairman*.

Ordered passed on file.

Senator Cotton, from the Committee on State Library, submitted the following report:

MR. PRESIDENT—Your Committee on State Library, to whom was recommitted Senate File No. 54, a bill for an act to amend section 1879 of the Code of 1873, relative to making appropriations for the Iowa State Library, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying substitute, and recommend that the substitute do pass.

W. A. COTTON, *Chairman*.

Ordered passed on file.

#### HOUSE MESSAGES.

House concurrent resolution relative to printing Governor Gear's biennial message in foreign languages was taken up.

Senator Rothert moved an amendment by adding the words, "and Governor Sherman's inaugural address," after the word "message," in the third line.

The amendment was adopted.

Senator Gillett moved to insert the words "by the State Printer," after the word "language," in the fifteenth line.

The motion to amend prevailed.

The question being on the adoption of the resolution as amended, the yeas and nays were demanded, and

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Johnson, Keller, Larrabee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Nielander,

Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Sudlow, Smith, Tirrill, Whaley, Wilson, and Wright—36.

The nays were:

Senators Clark of Wayne, Cotton, Gillett, Hall, Hutchison, Mitchell, and Parker—7.

Absent or not voting:

Senators Bills, Garber, Hebard, Kamrar, Nichols of Benton, Russell of Greene, and Wall—7.

So the resolution passed, and the title was agreed to.

#### BILLS ON SECOND READING.

Senate File No. 41 was taken up and considered.

Senator Russell of Jones moved to strike from the bill sections 1, 2, 3, and 5.

On this motion the yeas and nays were demanded, and

The yeas were:

Senators Boling, Brown of Keokuk, Cotton, Greenlee, Hall, Harmon, Henderson, Hutchison, Keller, Larrabee, Logan, Mitchell, Nielander, Parker, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Whaley, Wilson, and Wright—22.

The nays were:

Senators Abraham, Arnold, Baker, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Gillett, Graves, Hartshorn, Hemenway, Hunt, Johnson, Marshall, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Prizer, Rothert, and Tirrill—21.

Absent or not voting:

Senators Bills, Garber, Hebard, Kamrar, Nichols of Benton, Russell of Greene, and Wall—7.

So the motion to amend the substitute prevailed.

Senator Hall moved that the bill be referred back to the Committee on Schools, with instructions to draft a substitute authorizing the board of supervisors in each county to fix the rate of interest upon loans in their respective counties.

Senator Hartshorn moved an amendment by referring the bill to the Committee on Ways and Means.

The amendment was accepted.

Senator Robinson moved that that committee be instructed to draft the substitute so as to authorize the respective boards of supervisors to fix the maximum and minimum rate of interest upon loans from the permanent school fund.

The amendment was accepted.

The question recurring on the motion of Senator Hall to recommit the bill, the same was lost.

Senator Nichols of Guthrie moved that further consideration of the pending question be postponed until to-morrow, which motion prevailed.

Senate joint memorial in relation to the duty on steel blooms and wire rods, with report of committee recommending amendment by striking out of the first line the words "instructing our Senators and requesting our Representatives" and inserting "requesting our Senators and Representatives," and that when so amended it do pass, was taken up and considered.

Senator Logan moved that the report of the committee be adopted, which motion prevailed.

Senator Gillett moved that the eleventh rule be suspended, and the joint memorial be considered engrossed, and read a third time now.

Senator Hall moved as an amendment to the memorial the addition of the words: "And to remove such other duties upon the articles of importation as produce unjust and oppressive monopolies, without being remunerative as a source of revenue."

The motion made by Senator Hall to amend was lost.

The question recurring upon the motion made by Senator Gillett, the same prevailed.

The resolution was read a third time.

On the question, shall the resolution and memorial pass?

The yeas were:

Senators Abraham, Arnold, Baker, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Graves, Hall, Harmon, Hemenway, Henderson, Hunt, Hutchinson, Johnson, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—38.

The nays were:

Senators Boling, Greenlee, Hartshorn, Nichols of Guthrie, and Rothert—5.

Absent or not voting:

Senators Bills, Garber, Hebard, Kamrar, Nichols of Benton, Russell of Greene, and Wall—7.

So the joint resolution and memorial passed, and the title was agreed to.

Senator Nichols of Muscatine moved to adjourn, and at 6:15 o'clock the Senate adjourned until to-morrow at 9:30 o'clock.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 7, 1882. }

The Senate convened pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Cheek.

The journal of yesterday was read and approved.

#### INTRODUCTION OF BILLS.

By Senator Boling, from the Committee on Appropriations, Senate File No. 143, a bill for an act to amend chapter 110 of the acts of the Thirteenth General Assembly, and chapter 35 of the acts of the Fourteenth General Assembly, and making an additional appropriation for the completion of the capitol.

Read a first and second time, ordered printed, and referred to the Committee on Appropriations.

Senators Johnson and Kamrar were excused.

By Senator Johnson, Senate File No. 144, a bill for an act to repeal section 3791 of the Code of 1873, and to enact a substitute therefor relating to the compensation of members of boards of supervisors.

Read a first and second time, ordered printed, and referred to the Committee on Compensation of Public Officers.

By Senator Hemenway, Senate File No. 145, a bill for an act providing for the appointment of referees to examine the accounts of guardians.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Clark of Wayne, Senate File No. 146, a bill for an act to repeal sections 1, 2, 3, 4, 5, and 6, of chapter 168 of the laws of the Eighteenth General Assembly.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Russell of Jones, Senate File No. 147, a bill for an act to create a State board of examiners, and defining the duties thereof.

Read a first and second time, ordered printed, and referred to the Committee on Ways and Means.

#### PRESENTATION OF PETITIONS.

Senator Rothert presented a petition from John S. Taylor, relative to the pardon of Mrs. Taylor now serving a term of imprisonment in the Penitentiary at Fort Madison.

Referred to the Committee on Penitentiary.

#### RESOLUTION.

Senator Brown of Van Buren offered the following resolution which was adopted:

*Resolved by the Senate, the House concurring,* That the post-office of the General Assembly shall be kept open each day (Sunday excepted) from 7:30 o'clock A. M., until 5 o'clock P. M., and on Sundays from 9 to 10 in the morning, and from 3 to 4 o'clock in the afternoon.

#### REPORTS OF COMMITTEES.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 78, a bill for an act to amend section 1061 of the Code, in relation to corporations for pecuniary profit, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred

Senate File No. 43, a bill for an act to repeal section 4073 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 116, a bill for an act to amend section 175 of the Code of 1873, in relation to the interchange of judges, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 146, a bill for an act to legalize the official acts, as notary public, of Wm. Chapple, of Black Hawk county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 103, a bill for an act to amend section 2114, chapter 6, title 14 of the Code of 1873, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 133, a bill for an act to amend sections 2077 and 2078, and to repeal sections 2079, 2080, and 2081 of the Code relative to the rate of interest, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 100, a bill for an act amendatory to section 4489 of the Code of 1873, relating to new trials in criminal cases, and providing an additional ground therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.



Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 14, a bill for an act to legalize the acts of the town of Salem, county of Henry, State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding the following words to section 1: "and binding as fully to all intents and purposes as though said town had been legally organized under the special charter, had legally abandoned the same and become incorporated under the general incorporation law, and had legally extended its corporate limits"; and that when so amended it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 156, a bill for an act to amend section 3072, chapter 2, title 18, Code of 1873, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be amended by adding to title thereof the words "in relation to exemption from execution," and as thus amended it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 112, a bill for an act to legalize the incorporation and corporate acts of the town of Rockwell, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding the words "to the same extent as though said town had been legally incorporated" at end of section 3, and as thus amended it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 115, a bill for an act to legalize the incorporation of the town of Oxford and the change of name to Montour, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted and do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 132, a bill for an act to legalize the incorporation of the town of Scranton, Greene county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House File No. 20, a bill for an act to legalize incorporation of the town of Redfield, Dallas county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Wilson, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution No. 25, relating to Mormonism, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. M. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred House joint memorial to Congress in relation to the construction of the Rock Island and Hennepin Canal, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. M. WILSON, *Chairman*.

Ordered passed on file.

Senator Arnold, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred resolution No. 1, relating to the time of introducing appropriation bills, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying resolution be substituted, and when so done that it do pass.

D. ARNOLD, *Chairman*.

Ordered passed on file.

Senator Nielander, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred joint resolution and memorial relative to the construction of the Rock Island and Hennepin Canal, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. NIELANDER, *Chairman*.

Ordered passed on file.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following memorial and joint resolution, in which the concurrence of the Senate is asked:

Memorial to our Senators and Representatives in Congress relative to the improvement of the Missouri River from Sioux City, Iowa, to its mouth.

Also, joint resolution relative to the construction of the Rock Island and Hennepin Canal.

Also, a resolution relative to printing Governor Sherman's inaugural address.

Also, House File No. 30, a bill for an act to amend section 3, chapter 159, acts of 1876, in relation to printing and distribution of public documents.

Also, joint resolution relative to the pardon of Lew Weirick.

A. W. RENSHAW, *Second Assistant Clerk.*

Senate resolution relative to the time of introducing bills for appropriating money, with report of committee recommending a substitute, and that it be adopted, was taken up and considered.

The report of the committee recommending the following substitute was adopted:

*Resolved by the Senate,* That all bills for the appropriation of money for the various institutions of the State shall be presented to this body on or before Wednesday, the fifteenth inst., except the general appropriation bill and bills introduced from committee.

Senator Brown of Keokuk, from the committee appointed to visit the State Normal School, submitted a report, which was ordered printed and passed on file.

#### PRESENTATION OF PETITIONS.

Senator Larrabee, by leave, presented a petition from citizens of twenty-one counties, asking that a geological survey of the State of Iowa be instituted at once.

Referred to the Committee on Ways and Means.

#### BILLS ON SECOND READING.

Senate File No. 132, a bill for an act to legalize the incorporation, ordinances, and official proceedings of the town of Scranton, in Greene county, Iowa, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Russell of Greene moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright

—44.

The nays were—None.

Absent or not voting:

Senators Bills, Garber, Hebard, Johnson, Kamrar, and Nichols of Benton—6.

So the bill passed, and the title was agreed to.

Substitute for House File No. 20, a bill for an act to legalize the incorporation of the town of Redfield, Dallas county, with report of committee recommending it do pass, was taken up and considered.

Senator Nichols of Guthrie moved that the rule be suspended and the bill be considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—41.

Absent or voting nay:

Senators Arnold, Bills, Clark of Wayne, Garber, Hebard, Johnson, Kamrar, Nichols of Benton, and Shrader—9.

So the bill passed, and the title was agreed to.

Senate File No. 115, a bill for an act to legalize the incorporation of the town of Orford, and the change of name to Montour, with report of committee recommending a substitute, and that it do pass, was taken up and considered.

The report of the committee was adopted.

Senator Poyneer moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Abraham, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Henderson, Hunt, Hutchison, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—42.

The nays were—None.

Absent or not voting:

Senators Bills, Garber, Hebard, Hemenway, Johnson, Kamrar, Nichols of Benton, and Wall—8.

So the bill passed, and the title was agreed to.

Senate File No. 112, a bill for an act to legalize the incorporation and corporate acts of the town of Rockwell, with report of committee recommending amendment by adding to section 3 the words "to the same extent as though said town had been legally incorporated," and when so amended, that it do pass, was taken up for consideration.

Senator Parker moved that the rule be suspended, and the bill considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rotherth, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Bills, Garber, Hebard, Johnson, Kamrar, Nichols of Benton, and Wilson—7.

So the bill passed, and the title was agreed to.

House File No. 14, a bill for an act to legalize the acts of the town of Salem, Henry county, Iowa, with report of committee recommending that the bill be amended by adding the following words to section 1: "and binding as fully to all intents and purposes as though said town had been legally organized under the special charter, had legally abandoned the same, and become incorporated under the incorporation law, and had legally extended its corporate limits," and that when so amended it do pass, was taken up, and considered.

Amendments adopted.

Senator Abraham moved that the eleventh rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rotherth, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Bills, Garber, Hebard, Johnson, Kamrar, and Nichols of Benton—6.

So the bill passed, and the title was agreed to.

House File No. 146, a bill for an act to legalize the official acts of William Chapple of Black Hawk county, with report of committee that the bill do pass, was taken up and considered.

Senator Larrabee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell,

Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson Hunt, Hutchison, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson and Wright—44.

The nays were—None.

Absent or not voting:

Senators Bills, Garber, Hebard, Johnson, Kamrar, and Nichols of Benton—6.

So the bill passed, and the title was agreed to.

Senate joint resolution and memorial relative to the construction of Rock Island and Hennepin Canal, with report of committee recommending that it do pass, was taken up and considered.

Senator Russell of Greene moved to strike from the resolution lines eleven and fifteen, inclusive, except the word "therefore."

The motion prevailed.

Senator Nichols of Muscatine moved to suspend the rule, consider the resolution engrossed, and read a third time now.

The motion prevailed, and the resolution was read a third time.

On the question, shall the resolution pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell, of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson and Wright—44.

The nays were—None.

Absent or not voting:

Senators Bills, Garber, Hebard, Johnson, Kamrar, and Nichols of Benton—6.

So the joint resolution passed, and the title was agreed to.

Senate File No. 47, a bill for an act to amend section 2155 of the Code of 1873, relating to limited partnerships, with report of committee recommending a substitute, and that it do pass, was taken up for consideration.

On motion, the report of the committee was adopted.

Senator Robinson moved to suspend the rule, consider the bill engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Keller, Larrabee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—40.

The nays were—None.

Absent or not voting:

Senators Arnold, Bills, Boling Garber, Gillett, Hebard, Johnson, Kamrar, Mitchell, and Nichols of Benton—10.

So the bill passed, and the title was agreed to.

#### HOUSE MESSAGES.

House File No. 148, a bill for an act to legalize the incorporation of the town of Logan, in Harrison county, Iowa, was taken up and read a first and second time.

Senator Logan moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Bills, Garber, Hebard, Johnson, Kamrar, and Nichols of Benton—6.

So the bill passed, and the title was agreed to.

#### INTRODUCTION OF BILL.

By Senator Shrader of Johnson, Senate File No. 148, a bill for an act to amend sections 8 and 9, chapter 75, of the laws of the Eighteenth General Assembly.

Read a first and second time, ordered printed, and referred to the Committee on Suppression of Intemperance.

Senator Clark of Page moved to reconsider the vote by which joint resolution and memorial relative to the duty on steel blooms and wire-rods was adopted.

The motion to reconsider prevailed.

On the question, shall the joint resolution and memorial pass?

The yeas were:

Senators Abraham, Arnold, Baker, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Dashiell, Gillett, Graves, Hall, Harmon, Hemenway, Henderson, Hunt, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—36.

The nays were:

Senators Bills, Boling, Clark of Page, Greenlee, Hartshorn, Hutchison, Nichols of Guthrie, and Rothert—7.

Absent or not voting.

Senators Bills, Garber, Hebard, Johnson, Kamrar, Nichols of Benton, and Russell of Greene—7.

So the joint resolution passed, and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate amendment to joint resolution, relative to printing Governor Gear's biennial message, and Governor Sherman's inaugural address.

E. C. HAYNES, *Chief Clerk.*

Senate File No. 54, a bill for an act to amend section 1899 of the Code of 1873, in relation to making appropriation for the State Library, with the report of the committee recommending a substitute, and that it do pass, was taken up and considered.

The report of the committee was adopted.

Senator Cotton moved that the rule be suspended, and the bill considered engrossed, and read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley Wilson, and Wright—43.

The nays were—None.

Absent or not voting.

Senators Bills, Clark of Wayne, Garber, Hebard, Johnson, Kamrar, and Nichols of Benton—7.

So the bill passed, and the title was agreed to.

Senator Brown of Keokuk moved that the Senate do now adjourn, and at 12 o'clock M. the Senate adjourned until to-morrow.



SENATE CHAMBER,  
DES MOINES, IOWA, February 8, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. R. J. Derrick.

The journal of yesterday was read and approved.

#### PRESENTATION OF PETITIONS.

By Senator Garber, a petition from citizens of Clayton county, asking that the prohibitory amendment shall be re-enacted without amendment, change, or delay.

Referred to the Committee on Constitutional Amendments.

By Senator Larrabee, a petition from citizens of Fayette county, asking the passage of an act giving to owners of stallions a lien upon the colts.

Ordered passed on file.

By Senator Russell of Jones, a petition from farmers of Jones county, relative to court expenses, road laws, public printing, and other matters.

Referred to the Committee on Retrenchment.

Also, a petition relative to the propagation of fish.

Referred to the Committee on Fish and Game.

#### INTRODUCTION OF BILLS.

By Senator Robinson, Senate File No. 149, a bill for an act for an appropriation for the State Fish Commission.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Rothert, Senate File No. 150, a bill for an act to cede jurisdiction over certain lands, the property of the United States, held and used for custom-house, post-office, or court-house.

Read a first and second time and referred to the Committee on Federal Relations, and ordered printed.

By Senator Graves, Senate File No. 151, a bill for an act to legalize the sale of certain lands by the State University.

Read a first and second time and referred to the Committee on State University.

By Senator Smith, Senate File No. 152, a bill for an act to legalize certain proceedings, orders, and judgments of the District and Circuit courts of the Fifth Judicial District of Iowa.

Read a first and second time and referred to the Judiciary Committee.

By Senator Wilson, Senate File No. 153, a bill for an act amending section 1, chapter 149 of the acts of the Seventeenth General Assembly, providing for an increase of guards at the Additional Penitentiary at Anamosa.

Read a first and second time, ordered printed, and referred to the Committee on Penitentiary.

By Senator Hartshorn, Senate File No. 154, a bill for an act to estab-

lish and maintain a school at Humboldt, in Humboldt county, for the instruction and training of teachers of common schools.

Read a first and second time, ordered printed, and referred to the Committee on Normal Schools.

By Senator Clark of Page, Senate File No. 155, a bill for an act to repeal section 1268, of chapter 4, of title 10 of the Code of 1873, in relation to cattle-guards and railway crossings, and to enact a substitute therefor.

Read a first and second time, ordered printed, and referred to the Committee on Railways.

By the Judiciary Committee, Senate File No. 156, a bill for an act to amend section 3072, chapter 2, title 18 of the Code of 1873.

Read a first and second time and passed on file.

#### RESOLUTIONS.

Senator Arnold offered the following resolutions, which were adopted:

*Resolved*, That all bills ordered printed shall be retained in the possession of the Secretary of the Senate, or placed in the hands of the committee to which referred, and certified copies of the same shall be sent to the State Printer for his use.

*Resolved*, That clerks of the various Senate committees shall be subject to the order of the Secretary of the Senate to perform such clerical duties as he may direct, when the services of such clerks are not required by their committees.

The following resolution, offered by Senator Hall, was adopted:

*Resolved*, That the Governor be requested to inform the Senate, if not incompatible with the public interest, the condition of the claims of the State against the sureties of Dr. Craig, late Warden of the Penitentiary at Fort Madison, and other persons in connection therewith, and the cost and expense incurred in the prosecutions thereof up to this date.

By Senator Abraham:

*Resolved*, That it shall be the duty of the Sergeant-at-Arms to enforce the order in regard to smoking in the Senate Chamber during the session of the Senate.

Adopted.

#### REPORTS OF COMMITTEES.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 97, a bill for an act establishing a geological survey of Iowa, and defining the purpose and work thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that, after being printed and distributed to the members of the General Assembly, it do pass.

WM. LARRABEE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom

SENATE CHAMBER,  
DES MOINES, IOWA, February 8, 1882. }

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#### INTRODUCTION OF BILLS.

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Read a first and second time and referred to the Committee on Appropriations.

By Senator Rotherth, Senate File No. 150, a bill for an act to cede jurisdiction over certain lands, the property of the United States, held and used for custom-house, post-office, or court-house.

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WM. LARRABEE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom

was referred Senate File No. 33, a bill for an act to amend sections 2077, 2078, 2080, 3061, and 3106 of the Code, relating to the rate of interest, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WM. LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 126, a bill for an act to amend chapter 183 of the acts of the Eighteenth General Assembly, relating to the bonding of county indebtedness, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding the word "clause" and striking out the word "seven" in the third line of section 2 of said chapter, and inserting the word "six"; and that when so amended that it do pass.

WM. LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 72, a bill for an act to amend section 328, chapter 4 of Code, relating to the manner of canceling county warrants, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the substitute herein enclosed be adopted and printed, and that it do pass.

WM. LARRABEE, *Chairman.*

Ordered passed on file.

Senator Russell of Jones, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 89, a bill for an act to provide a State entomologist and for the publication of reports, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN RUSSELL, *Chairman.*

Ordered passed on file.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 48, a bill for an act to amend section 2018 of the Code, relating to landlords' liens, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out section 2 (publication clause) thereof, and as so amended that it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred

House File No. 53, a bill for an act to legalize the proceedings of the town council of the town of Corning, Adams county, Iowa, held on the third day of June, 1879, vacating a certain alley in said town, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 134, a bill for an act to amend section 4374, chapter 24, title 25 of the Code in relation to change of venue, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Graves, from the Special Committee to visit the State University of Iowa, submitted a report which was ordered printed and passed on file.

Senator Hartshorn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 106, a bill for an act to prohibit school directors from employing as teachers near relations or members of their own family; and to prohibit school directors, school secretaries, county superintendents, and principals of public schools from acting as agents for the sale of articles of supply for schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Senator Hemenway, from the Committee on State University, submitted the following report:

MR. PRESIDENT—Your Committee on State University, to whom was referred Senate File No. 80, a bill for an act to establish a dental department at the State University, and, also, the resolution of the board of regents relating thereto, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the bill be amended by adding thereto the following words: "*Provided*, That the funds to be appropriated will warrant," and when so amended it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Senator Rothert asked that Senate File No. 80, in relation to establishing a dental department at the State University, and the report of the committee thereon be referred to the Committee on Appropriations.

So ordered.

Senator Harmon moved that the special committee appointed to visit the Insane Asylum at Independence, have farther time to report.

Granted.

## BILLS ON SECOND READING.

Senate File No. 12, a bill for an act to repeal section 4424 of the Code of 1873, and to enact a substitute therefor, in relation to defendants jointly indicted, with report of committee recommending indefinite postponement, was taken up and considered.

Pending discussion, a committee from the House was announced and tendered an invitation to the honorable Senate to be present in the Hall of the House to-morrow at 11 o'clock, to participate in the memorial proceedings relating to the death of Hon. W. E. Webster.

## MESSAGE FROM THE GOVERNOR.

A message from the Governor was received at the hands of his private secretary.

Ordered passed on file.

Senator Arnold moved that the time of adjournment be postponed until the subject under consideration be disposed of, which motion prevailed.

The question being upon the indefinite postponement of the bill as recommended by the committee, the yeas and nays were demanded.

The yeas were:

Senators Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Hall, Hemenway, Henderson, Hutchison, Keller, Marshall, Mitchell, Nielander, Robinson, Russell of Greene, Whaley, and Wright—16.

The nays were:

Senators Abraham, Arnold, Baker, Boling, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hunt, Larrabee, Logan, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Rothbert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, and Wilson—29.

Absent or not voting:

Senators Bills, Hebard, Johnson, Kamrar, and Nichols of Benton—5.

So the bill was not indefinitely postponed.

Senator Gillett moved that the time of adjournment be extended until House messages on file are disposed of, which motion was agreed to.

## HOUSE MESSAGES.

House joint resolution and memorial relative to improving the Missouri River from Sioux City to its mouth, was taken up, read a first and second time and referred to the Committee on Federal Relations.

House joint resolution and memorial relative to the construction of the Rock Island and Hennepin Canal was taken up, read a first and second time and referred to the Committee on Federal Relations.

House concurrent resolution, in relation to printing Governor Sherman's inaugural address in foreign languages was taken up, read a first and second time and referred to the Committee on Printing.

House resolution relative to the pardon of Lewis Weirick was taken up and read first and second time.

Senator Gillett moved to refer the resolution to the Judiciary Committee.

Senator Logan moved to amend by referring the same to the Committee on Penitentiary.

The motion to amend prevailed.

The motion as amended was agreed to.

House File No. 30, a bill for an act to amend section 3, chapter 159, acts of 1876, in relation to the printing of public documents was taken up.

Read a first and second time and referred to the Committee on Printing.

Senator Nichols of Guthrie moved that the time of adjournment be extended until Senate File No. 12, under consideration, be disposed of.

The motion prevailed.

Senator Hartshorn moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The question being on the suspension of the rule and the engrossment of the bill, the yeas and nays were demanded, and

The yeas were:

Senators Abraham, Arnold, Baker, Clark of Page, Dashiell, Garber, Gillett, Graves, Greenlee, Hartshorn, Hemenway, Hunt, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Prizer, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Wall, Whaley, and Wilson—26.

The nays were:

Senators Boling, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Hall, Henderson, Hutchison, Keller, Logan, Marshall, Mitchell, Nielander, Parker, Robinson, Russell of Greene, Tirrill, and Wright—18.

Absent or not voting:

Senators Bills, Harmon, Hebard, Johnson, Kamrar, and Nichols of Benton—6.

So the motion was lost.

Senator Hemenway moved that further proceedings upon the bill under consideration be postponed, which motion prevailed.

#### HOUSE MESSAGES.

On motion of Senator Clark the invitation tendered the Senate to be present at and participate in the memorial service relative to the death of the late Hon. W. E. Webster, was accepted.

Senators Clark of Page, Marshall, and Baker were appointed a committee to notify the House.

Senator Brown of Keokuk moved that the Senate do now adjourn.

The motion prevailed, and at 12:30 o'clock the Senate adjourned until to-morrow.



SENATE CHAMBER,  
DES MOINES, IOWA, February 9, 1882. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Senator Marshall.

The journal of yesterday was read and approved.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill without amendment:

Senate File No. 120, a bill for an act to appropriate money for a furnace for use in Girls' Department of the State Reform School at Mitchellville.

Also, concurrent resolution relative to pleuro-pneumonia among cattle.

E. C. HAYNES, *Clerk*.

#### PRESENTATION OF PETITIONS.

By Senator Nielander, a petition praying for a compulsory law requiring parents and guardians to send their children to school or pay a penalty, unless they have a reasonable excuse.

Read and passed on file.

#### INTRODUCTION OF BILLS.

By Senator Tirrill, Senate File No. 157, a bill for an act for the better regulation and treatment of the female insane in the hospitals of the State of Iowa.

Read a first and second time and referred to the Committee on Hospital for Insane.

By Senator Nielander, Senate File No. 158, a bill for an act to legalize the sale of a certain tract of school land in Allamakee county, Iowa.

Read a first and second time and referred to the Committee on Public Lands.

By Senator Brown of Keokuk, Senate File No. 159, a bill for an act to repeal section 5, chapter 129 of the acts of the Sixteenth General Assembly, as amended by chapter 142 of the acts of the Seventeenth General Assembly, and to enact a substitute therefor in relation to the State Normal Schools.

Read a first and second time, ordered printed, and referred to the Committee on Normal Schools.

#### REPORTS OF COMMITTEES.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 141, a bill for an act to amend section 1548,

chapter 6, title 11 of the Code of 1873, relating to persons found in the state of intoxication, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 145, a bill for an act to provide for the appointment of referees to examine the accounts of guardians, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 38, a bill for an act to repeal section 1869 of the Code of 1873, and enacting a substitute, beg leave to report that they have had the same under consideration, and have instructed me to report the same to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 131, a bill for an act to regulate admission to practice as attorneys and counselors in the courts of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Harmon, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred joint resolution agreeing to an amendment to the Constitution of the State of Iowa, prohibiting the manufacture and sale of intoxicating liquors as a beverage, within the State, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the proposed amendment be agreed to.

JOHNSON, *Chairman*.

Ordered passed on file.

Senator Arnold, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 80, a bill for an act to establish a dental department at the Iowa State University, beg leave to report that they

have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

D. ARNOLD, *Chairman*.

Ordered passed on file.

Senator Robinson, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 124, a bill for an act to repeal section 3755 of the Code, and enact a substitute therefor, in relation to the salary of the Governor and Private Secretary of the Governor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator Wilson, from the special committee appointed to visit the Additional Penitentiary at Anamosa, submitted a report, which was ordered printed, and referred to the standing Committee on Penitentiary.

Senator Logan, from the special committee appointed to visit the Asylum for Feeble-Minded Children at Glenwood, submitted a report, which was ordered printed and passed on file.

#### BILLS ON SECOND READING.

Senate File No. 12, in relation to defendants jointly indicted, was taken up.

Senator Russell of Jones moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Clark of Page, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hunt, Larabee, Logan, Nichols of Guthrie, Parker, Patrick, Prizer, Rotherth, Russell of Jones, Smith, Sudlow, Wall, Whaley, and Wilson—26.

The nays were:

Senators Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Hall, Hemenway, Henderson, Huthison, Keller, Marshall, Mitchell, Nielander, Robinson, Russell of Greene, Tirrill, and Wright—16.

Absent or not voting:

Senators Bills, Hebard, Johnson, Kamrar, Nichols of Benton, Poyneer, and Shrader—7.

So the bill passed, and the title was agreed to.

Senators Poyneer and Johnson were excused on account of absence.

Senate File No. 22, a bill for an act to insure the better education of practitioners of dentistry in the State of Iowa, with the report of committee recommending amendment by inserting after the word "which" in the last line of section 8 the words "such offense"; and by striking out of section 9 the words "December fifteenth" and insert in lieu thereof

"November fifteenth"; and by striking out in section 11 the words "for the relief of pain"; and when so amended that it do pass, was taken up and considered.

The report of the committee was adopted.

Senator Shrader moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

Senator Russell of Greene moved that further consideration of the bill be postponed until 10 o'clock to-morrow.

The motion to postpone prevailed.

#### INTRODUCTION OF BILLS.

Senator Gillett, by leave, introduced Senate File No. 160, a bill for an act making appropriation for the Iowa Agricultural College.

Read a first and second time, ordered printed, and referred to the Committee on Appropriations.

Senator Shrader, by leave, introduced Senate File No. 161, a bill for an act for an appropriation in aid and support of the State University of Iowa.

Read a first and second time, ordered printed, and referred to the Committee on State University.

Senate File No. 41, a bill for an act in relation to the loaning and management of the permanent school fund, with report of committee furnishing a substitute and recommending it do pass, was taken up and consideration resumed.

Senator Nichols of Guthrie moved to strike from the substitute all but the enacting clause and insert the following:

SECTION 1. The rate of interest on all permanent school funds loaned from and after the passage of this act shall be seven (7) per cent per annum from date of such loan.

SEC. 2. Section 1865 of the Code is hereby repealed.

SEC. 3. Section 1, chapter 12 of the acts of the Eighteenth General Assembly, and all other acts and parts of acts inconsistent with this act, are hereby repealed.

SEC. 4. This act being deemed of immediate importance, shall be in full force from and after its publication in the "Iowa State Register" and "Iowa State Leader," newspapers published in Des Moines, Iowa.

Senator Greenlee moved to refer the bill to the Committee on Ways and Means.

Senator Gillett moved an amendment by a reference to the Committee on Schools.

The amendment was accepted, and the motion as amended prevailed.

On motion of Senator Larrabee the vote on the resolution relative to copying bills before printing was reconsidered. Carried.

The question being on the adoption of the resolution the same was lost.

Senate File No. 45, a bill for an act to repeal section 573 of the Code, and enact a substitute therefor in relation to the time for holding general elections, with report of committee recommending amendment by striking out "it" in said section and inserting "said general election," and when so amended it do pass, was taken up and considered.

The report of committee was adopted.

Senator Hartshorn moved that the rule be suspended, and the bill be considered engrossed and read a third time.

The hour fixed for the memorial exercises relative to the death of the late Hon. W. E. Webster having arrived, the Senate repaired to the Hall of the House of Representatives.

Resolutions relative to the deceased were proposed and adopted.

Addresses in eulogy of the dead were made by Messrs. Evans, Hart, Irwin, Calkins, Merten, Tool, Powell, Downing, Pickler, and Maxwell.

Senator Clark of Page, on the part of the Senate, spoke as follows:

MR. SPEAKER—I am of the number who believe that nothing happens. I believe that behind every thought, act, and event in life there is an intelligent force, and that force is God. I believe that every life is an utterance of God, and every death a play of his upon the great board of the universe in the accomplishment of his purposes. I do not believe that a man perishes with his clothing, or that the grave of the body is the home of the soul. Dissolution, to my mind, is the birth-pangs of immortal life. I believe that when the soul passes out beyond the horizon that rests upon the grave of the body, it emerges into an illimitable expanse in which it enfolds itself forever. My thought now is that the grave is the door of immortality, and only dark from the hither side. The train of life will not stop in this dark tunnel, but will move on out into the beautiful sunshine of the hereafter. But there is a mystery and a miracle. Here sat our departed friend. Last week he moved, and lived, and laughed, and thought as one of us. Now only the crape upon his vacant desk and the floral tribute marks the space occupied by his manly form. Last week he looked upon us with the eyes of his flesh. To-day he sees without eyes, lives without breath, and feels without nerves. My friends, we ought not to fear to die. God is our Father. We came into being by his act, and grew up to manhood under the breadth of his love. While in the body we are in his hand, in the spirit we shall be in his bosom. In the body we feel his touch in the darkness; in the spirit we shall see his face in the light; and therefore I refuse to regard him as an enemy, or as a cold fatuity. He is my benevolent Father; a living intelligence. Nor will I believe that death ends all either in this life or the life to come; a man lives here and hereafter at the same time. Here, in the hearts of men; there, in his quickened spirit. Here, in repute; there, in his real life. Here, in the good or evil that he did; there, as a spiritual servant of Christ; and here, this morning, upon this highest theater of this great State, the floor of this chamber, I assert it as my real conviction that the greatest thing a man can do is to live a noble and honest and godly life. The last and greatest thing he does do is to hand over to the world a well-rounded, symmetrical character; and let us reflect that our control over the life we live is co-terminous with its delivery and the suspension of the breath. Without further dressing or polish it becomes the property of the world for all time. Character is a potential reality, and will be hung up in the world's great gallery for all future ages. May we not congratulate ourselves that the one our dead representative left will be selected by many of life's students as a fit model by which to mould his own. His was not perfect, nor will be yours or mine. We cannot use the brush and chisel upon his model if we would, but we can upon ours. The

present and future, angels and God, bid us use them now. A man has many rights, but to give the world a bad example is not one of them.

The pursuit of truth is the vocation of man, and that truth unless crystalized into life and made into character is of no practical value to the world. "I am the truth" said that Christ in whose pierced palm the soft spindle of the universe turns, and he bade the world be like him. It is as much a moral duty to live right as it is not to steal or to deal dishonestly with your neighbor, for you are dealing with posterity in the example you set.

And now, Messieurs Senators and Representatives, as we thus stand together over the grave of our departed friend, according to the standard that Christ set up, with bated breath, yet unfaltering faith, I declare it must be well with him. He filled the measure of a Christian here. He must wear a Christian's crown over yonder. All law is a unit. Virtue is rewarded here—it must be in Heaven. He had the just praise of men on earth. He must hear the plaudit of God in Heaven. He honored the law of God on earth—God will honor his soul in glory. He lived a righteous life, cumbered with the flesh. Should it cease when this burden is laid down? If the natural instincts do not mock us, and the longing for immortality and conscious recognition and identity is fulfilled in the unseen holy, methinks that the transformed spirit of our departed friend is thrilled with complaisant joy this morning as it looks out from the windows of its eternal dwelling place and sees the friends of his life, young and old, stepping into the track of his life, as a safe pathway to success on earth and happiness in Heaven. But alas for us! an honest man, a true man, a benevolent father, an affectionate husband, a useful and pure public servant has gone out from among us forever; he has laid down the burden of time. We shall miss him much in this chamber, but let me whisper here that many a poor man burdened with life's cares in his humble Page county home will miss him much more.

He was a rich man, but as such a treasurer of God. He drew many large drafts upon his bounty, and not one was ever dishonored or ignored.

"Inasmuch as ye did it to one of the least of these, well done," etc., has been sung by the angelic choir to his wondering soul. And now let us bury his frailties with his body in the grave, whilst we enshrine his virtues in our hearts forever.

The Senate returned to the Senate Chamber at 12 o'clock and fifteen minutes and adjourned until to-morrow.

SENATE CHAMBER,  
DES MOINES, IOWA, February 10, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. W. H. Van Antwerp.

The journal of yesterday was read and approved.

Senators Johnson and Arnold were excused for to-day.

#### INTRODUCTION OF BILLS.

By Senator Rothert, Senate File No. 162, a bill for an act to amend paragraph 4, of section 2529, of chapter 2, title 17 of the Code of 1873, relating to limitation of actions.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Cotton, Senate File No. 163, a bill for an act to amend section 506 of the Code of 1873, and providing for the compensation of mayors of cities and towns acting as justice of the peace.

Read a first and second time and referred to the Committee on Compensation of Public Officers.

By Senator Harmon, Senate File No. 164, a bill for an act making an appropriation for the Iowa Hospital for the Insane at Independence.

Read a first and second time, ordered printed, and referred to the Committee on Appropriations.

By Senator Hartshorn, Senate File No. 165, a bill for an act to repeal sections 3756, 3757, 3758, and 3760 of the Code, and to enact substitutes therefor, in relation to the compensation of public officers.

Read a first and second time, ordered printed, and referred to the Committee on Compensation of Public Officers.

#### RESOLUTIONS.

Senator Rothert offered the following resolution:

*Resolved*, That the chairmen of the several standing committees of the Senate shall, after conference, appoint the day, hour, and place of meeting of their respective committees, and report their action to the Senate at as early a day as possible.

Senator Robinson moved to strike from the resolution the words, "several standing committees," and insert "Committee on Ways and Means, Judiciary, Appropriations, Agriculture, and Railways."

The hour for the special order having arrived, on motion of Senator Rothert, the same was postponed until the resolution under consideration was disposed of.

Senator Hall moved to refer the resolution to a special committee, consisting of the chairmen of the committees named in the amendment.

The motion did not prevail.

The motion to amend was lost.

The question recurring upon the adoption of the resolution the same was agreed to.

Senator Clark of Wayne offered the following resolution, which, on motion, was referred to the Committee on Agriculture:

*Resolved*, That it is the sense of the State Agricultural Society that the legislature be asked to buy grounds for its use near Des Moines upon which to hold its annual fair, and which it can improve as the growth of the exhibit requires.

#### REPORTS OF COMMITTEES.

Senator Marshall, from the special committee appointed to visit the Reform School for Boys, at Eldora, submitted a report which was ordered printed and passed on file.

Senator Shrader, from the special committee appointed to visit the Hospital for the Insane at Mt. Pleasant, asked for further time within which to report.

The time was given.

Senator Robinson, from the committee appointed to visit the State Fish House at Anamosa, submitted the report of that committee, which was ordered printed and referred to the Committee on Fish and Game.

Senator Rothert, from the special committee appointed to visit the Deaf and Dumb Asylum at Council Bluffs, had leave to postpone the report of that committee until Tuesday next.

Senator Cotton asked further time for report of committee to visit the Orphans' Home. Granted.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill without amendment:

Senate File No. 47, a bill for an act to repeal section 2155 of the Code relating to limited partnerships and enacting a substitute therefor.

Also, Senate File No. 115, a bill for an act to legalize the incorporation of the town of Orford and the change of name to Montour.

Also, Senate File No. 91, a bill for an act to amend chapter 114 of the acts of the Sixteenth General Assembly relating to the submission of amendments to the Constitution to a vote of the people.

Also, the House has concurred in the Senate resolution relative to the post-office with the following amendments:

Strike out the words "seven and a half" and insert "eight and a half."

Also, has passed the following resolution, in which the concurrence of the Senate is asked:

*Resolved by the House, the Senate concurring*, That the mail-carrier be, and is hereby instructed to procure a good and suitable leather pouch for the transmission of the mail of the General Assembly to and from the post-office in West Des Moines, the cost of such pouch not to exceed ten dollars.

A. W. RENSCHAW, *Second Assistant Clerk*.

Senator Whaley, from the special committee appointed to visit the State Fish House at Spirit Lake, submitted the report of the committee, which was ordered printed and referred to the committee on Fish and Game.



Senator Henderson, from the special committee appointed to visit the Asylum for the Blind at Vinton, submitted a report, which was ordered printed and referred to the standing Committee on Asylum for the Blind.

#### SPECIAL ORDER.

The special order, being Senate File No. 22, a bill for an act to insure the better education of practitioners of dentistry in the State of Iowa, was taken up and consideration resumed.

Senator Russell of Greene moved to amend by inserting after the word "received," in the third line of section 1, the words, "a license from the board of examiners or some member thereof, as hereinafter provided."

The motion prevailed.

Senator Hall moved to strike out the word "passage," in the second line of section 4, and insert the words, "taking effect."

The motion carried.

Senator Russell of Greene moved to strike out the words after the word "if," in the third line of section 6, to and including the word "act," in line 6 of said section, and insert, "such person shall be found, after having been so examined, to possess the requisite qualifications, said board shall issue a license to such person to practice dentistry in accordance with the provisions of this act."

The motion was agreed to.

Senator Sudlow moved to amend section 7 by striking out "may," from line 1 of said section, and inserting "shall."

The amendment was adopted.

Senator Smith moved to strike "may," from the third line of section 8, and insert "shall."

The motion prevailed.

Senator Hemenway moved to strike out the last clause of section 8.

The motion was agreed to.

The question being upon the pending motion of Senator Shrader to suspend the rule and read the bill a third time, the motion was withdrawn.

The bill was ordered engrossed for a third reading.

#### PETITION.

Senator Rothert had leave to present a petition relative to the pardon of Mrs. Taylor, now serving a term at Ft. Madison, which petition was referred to the Committee on Penitentiary.

At the instance of Senator Hall, Senate File No. 78, a bill for an act to amend section 1061 of the Code, in relation to corporations for pecuniary benefit, with report of committee recommending it do pass, was taken up and considered.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have been duly enrolled and signed by the Speaker of the House:

Senate File No. 81, a bill for an act providing for the consolidation of the war and defense bond tax, collected and uncollected, with the State revenue.

Senate File No. 21, a bill for an act to appropriate money for the College for the Blind, to enable said college to complete the school year ending June 14, 1882.

House File No. 146, a bill for an act to legalize the official acts as notary public of Wm. Chappel, of Black Hawk county.

R. P. BAIRD, *Assistant Clerk.*

Senator Hall moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion carried, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—42.

The nays were—None.

Absent or not voting:

Senators Arnold, Bills, Hebard, Johnson, Kamrar, Nichols of Guthrie, Russell of Greene, and Russell of Jones—8.

So the bill passed, and the title was agreed to.

Senator Kamrar were excused indefinitely on account of sickness.

Senators Cotton, Whaley, Graves, Logan, Wright, and Harmon were excused the remainder of this week.

## REPORTS OF COMMITTEES.

Senator Clark, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred Senate File No. 158, a bill for an act to legalize the sale of a certain tract of school land in Allamakee county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting the words “in the county of Allamakee and State of Iowa,” after the word “west” in the third line of the preamble; also, by inserting the words “in the county of Allama-

## INTRODUCTION OF BILLS.

By Senator Garber, Senate File No. 166, a bill for an act to legalize the independent school district of Volga City, Clayton county, Iowa.

Read a first and second time and referred to the Judiciary Committee.

By Senator Hemenway, Senate File No. 167, a bill for an act repealing section 1268 of the Code, and enacting a substitute in lieu thereof relating to the construction of crossings over railroad tracks.

Read a first and second time and referred to the Committee on Railways.

Also, Senate File No. 168, a bill for an act to prohibit the keeping of saloons outside the limits of a city or incorporated town.

Read a first and second time and referred to the Committee on Suppression of Intemperance.

By Senator Rothert, Senate File No. 169, a bill for an act providing for the appointment of treasury inspectors and prescribing their duties.

Read a first and second time and referred to the Committee on Ways and Means.

By Senator Shrader, Senate File No. 170, a bill for an act enabling counties to recover moneys expended for the relief of the poor.

Read a first and second time and referred to the Judiciary Committee.

By Senator Baker, Senate File No. 171, a bill for an act to amend chapter 95, laws of the Sixteenth General Assembly.

Read a first and second time and referred to the Committee on Municipal Corporations.

By Senator Rothert, Senate File No. 172, a bill for an act to pay creditors of the Iowa Penitentiary at Fort Madison.

Read a first and second time and referred to the Committee on Claims.

## REPORTS OF COMMITTEES.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 91, and find the same correctly enrolled:

Senate File No. 91, a bill for an act to amend chapter 114 of the acts of the Sixteenth General Assembly, relating to the submission of amendments to the Constitution to a vote of the people.

T. E. CLARK, *Chairman*.

Senator Brown of Keokuk, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined the following bill, and find the same correctly engrossed:

Senate File No. 22, a bill for an act to insure the better education of practitioners of dentistry in the State of Iowa.

C. M. BROWN, *Chairman*.

Senator Wilson, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution and memorial relating to Indians, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

W. M. WILSON, *Chairman*.

Ordered passed on file.

Senator Rothert, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 30, a bill for an act to further diminish liability to railroad accidents, and to punish interference with, and injury to, railroad property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted it do pass.

H. W. ROTHERT, *Chairman*.

Ordered passed on file.

Senator Shrader, from the special committee appointed to visit the Hospital for the Insane at Mt. Pleasant, submitted a report, which was ordered printed and referred to the standing Committee on Hospital for the Insane.

Senator Brown of Keokuk called up the report of the special committee appointed to visit the State Normal School, and had it referred to the standing Committee on Normal Schools.

#### INTRODUCTION OF BILLS.

Senator Russell of Jones, by leave, introduced Senate File No. 173, a bill for an act making an appropriation to reimburse Geo. W. Bemis for the loss sustained by him in July, 1877, when treasurer of State.

Read a first and second time and referred to the Committee on Claims.

Senator Boling moved to reconsider the vote by which the Senate passed Senate File No. 78, a bill for an act to amend section 106, title 9, chapter 1 of the Code of 1873, in relation to corporations for pecuniary profit.

The motion did not prevail.

#### BILLS ON SECOND READING.

Senate File No. 45, a bill for an act to repeal section 573, of the Code, and enact a substitute therefor, in relation to the time for holding general elections, was taken up and consideration resumed.

The question being on the pending motion of Senator Hartshorn to suspended the rule, and read the bill a third time, the motion prevailed.

Senator Dashiell was granted leave of absence.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown

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By Senator Garber, Senate File No. 166, a bill for an act to legalize the independent school district of Volga City, Clayton county, Iowa. Read a first and second time and referred to the Judiciary Committee.

By Senator Hemenway, Senate File No. 167, a bill for an act repealing section 1268 of the Code, and enacting a substitute in lieu thereof relating to the construction of crossings over railroad tracks.

Read a first and second time and referred to the Committee on Railways.

Also, Senate File No. 168, a bill for an act to prohibit the keeping of saloons outside the limits of a city or incorporated town.

Read a first and second time and referred to the Committee on Suppression of Intemperance.

By Senator Rothert, Senate File No. 169, a bill for an act providing for the appointment of treasury inspectors and prescribing their duties.

Read a first and second time and referred to the Committee on Ways and Means.

By Senator Shrader, Senate File No. 170, a bill for an act enabling counties to recover moneys expended for the relief of the poor.

Read a first and second time and referred to the Judiciary Committee.

By Senator Baker, Senate File No. 171, a bill for an act to amend chapter 95, laws of the Sixteenth General Assembly.

Read a first and second time and referred to the Committee on Municipal Corporations.

By Senator Rothert, Senate File No. 172, a bill for an act to pay creditors of the Iowa Penitentiary at Fort Madison.

Read a first and second time and referred to the Committee on Claims.

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Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

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Senate File No. 91, a bill for an act to amend chapter 114 of the acts of the Sixteenth General Assembly, relating to the submission of amendments to the Constitution to a vote of the people.

T. E. CLARK, *Chairman*.

Senator Brown of Keokuk, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined the following bill, and find the same correctly engrossed:

Senate File No. 22, a bill for an act to insure the better education of practitioners of dentistry in the State of Iowa.

C. M. BROWN, *Chairman*.

Senator Wilson, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution and memorial relating to Indians, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

W. M. WILSON, *Chairman*.

Ordered passed on file.

Senator Rotherth, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 30, a bill for an act to further diminish liability to railroad accidents, and to punish interference with, and injury to, railroad property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted it do pass.

H. W. ROTHERTH, *Chairman*.

Ordered passed on file.

Senator Shrader, from the special committee appointed to visit the Hospital for the Insane at Mt. Pleasant, submitted a report, which was ordered printed and referred to the standing Committee on Hospital for the Insane.

Senator Brown of Keokuk called up the report of the special committee appointed to visit the State Normal School, and had it referred to the standing Committee on Normal Schools.

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Read a first and second time and referred to the Committee on Claims.

Senator Boling moved to reconsider the vote by which the Senate passed Senate File No. 78, a bill for an act to amend section 106, title 9, chapter 1 of the Code of 1873, in relation to corporations for pecuniary profit.

The motion did not prevail.

#### BILLS ON SECOND READING.

Senate File No. 45, a bill for an act to repeal section 573, of the Code, and enact a substitute therefor, in relation to the time for holding general elections, was taken up and consideration resumed.

The question being on the pending motion of Senator Hartshorn to suspended the rule, and read the bill a third time, the motion prevailed. Senator Dashiell was granted leave of absence.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown

of Van Buren, Clark of Page, Clark of Wayne, Garber, Gillett, Greenlee, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Keller, Larabee, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Tirrill, Wall, and Wilson—34.

The nays were—None.

Absent or not voting:

Senators Bills, Cotton, Dashiell, Graves, Hall, Harmon, Hebard, Johnson, Kamrar, Logan, Nichols of Muscatine, Prizer, Russell of Greene, Sudlow, Whaley, and Wright—16.

So the bill passed, and the title was agreed to.

Senate File No. 28, a bill for an act for the registry of electors, and to prevent fraudulent voting, with report of committee recommending indefinite postponement, was taken up, and the report of the committee was adopted.

Senate joint resolution relative to printing Governor Gear's biennial message and Governor Sherman's inaugural address, was taken up and considered.

Senator Brown of Van Buren moved that the resolution be indefinitely postponed, which motion was agreed to.

Senate joint resolution in relation to printing a new edition of the Constitution of 1857, with other matters, with report of committee furnishing a substitute, without further recommendation, was taken up.

Senator Rothert moved that further consideration of the resolution be postponed.

The motion prevailed.

Senate File No. 43, a bill for an act to repeal section 4073 of the Code, and enact a substitute therefor, with report of committee recommending indefinite postponement, was taken up and considered.

The report of the committee was adopted.

Senate File No. 116, a bill for an act to amend section 175 of the Code of 1873, in relation to interchange of judges, with report of committee recommending that the bill be indefinitely postponed, was taken up, and the report of the committee was adopted.

Senate File No. 103, a bill for an act to amend section 2114, chapter 6, title 4 of the Code of 1873, with report of committee recommending indefinite postponement, was taken up, considered, and on motion of Senator Greenlee passed on file.

Senate File No. 133, a bill for an act to amend sections 2077 and 2078, and repeal sections 2079, 2080, and 2081 of the Code, relating to the rate of interest, with report of committee that the bill be referred to the Committee on Ways and Means, was taken up and the bill was so referred.

Senate File No. 100, a bill for an act amendatory to section 4489 of the Code of 1873, relating to new trials in criminal cases, and providing an additional ground therefor, with report of committee recommending that it do pass, was taken up, considered and ordered engrossed for a third reading.

Senate File No. 156, a bill for an act to amend section 3072, chapter 2, title 18, Code of 1873, with report of committee recommending amendment by adding to the title the words "in relation to exemption from execution," and as thus amended it do pass, was taken up and read a first and second time.

On motion of Senator Smith the bill was ordered passed on file.

House joint resolution and memorial relating to Mormonism, with report of committee recommending it do pass, was taken up.

On motion, the report of the committee was adopted.

The question being on the engrossment of the resolution, Senator Arnold moved that the rule be suspended, and the resolution be considered engrossed, and read a third time now.

The motion prevailed, and the resolution was read a third time.

On the question, shall the resolution pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Garber, Gillett, Greenlee, Hall, Harts-horn, Hemenway, Henderson, Hunt, Hutchison, Keller, Larrabee, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Greene, Shrader, Smith, Tirrill, Wall, and Wilson—34.

The nays were—None.

Absent or not voting:

Senators Bills, Clark of Wayne, Cotton, Dashiell, Graves, Harmon, Hebard, Johnson, Kamrar, Logan, Nichols of Muscatine, Prizer, Russell of Jones, Sudlow, Whaley, and Wright—16.

So the joint resolution and memorial passed, and the title was agreed to.

#### RESOLUTION.

Senator Shrader offered the following resolution:

WHEREAS, It is provided in section 1, article 10 of the Constitution, that any amendment or amendments may be proposed in either house of the General Assembly, and if agreed to by a majority of the members thereof, such amendment shall be published and referred to the legislature to be chosen at the next general election, and if agreed to by a majority of all the members elected to each house, it shall be the duty of the General Assembly to submit such proposed amendments or amendments to the people; and,

WHEREAS, Doubts have arisen as to the duties and obligations of members of the General Assembly in voting upon an amendment which has been referred to it by the last General Assembly; therefore,

*Resolved*, That the Attorney-general of the State is hereby requested to give the Senate his opinion in writing as early as practicable upon the following questions:

Does the Constitution require that a member of the legislature shall agree to and approve of the proposed amendment before voting to submit the same to the people? or

Does the Constitution contemplate that such member simply votes upon the question of submitting the proposed amendment to the people, regardless of his own opinion as to the merits of such proposed amendment?

The Secretary of the Senate is hereby ordered to furnish the Attorney-general a copy of this resolution without delay.

Senator Hemenway moved that the resolution be referred to the Judiciary Committee.



The time of adjournment having arrived, Senator Arnold moved that the same be extended until the resolution under consideration shall be disposed of, and the motion was agreed to.

Senator Marshall moved that the resolution lie upon the table.

On the question, shall the resolution lie upon the table? the yeas and nays were demanded, and

The yeas were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Brown of Van Buren, Gillett, Hemenway, Hutchison, Marshall, Nichols of Guthrie, Parker, Patrick, Poyneer, Robinson, Russell of Jones, Tirrill, Wall, and Wilson—18.

The nays were:

Senators Baker, Clark of Page, Clark of Wayne, Garber, Greenlee, Hall, Hartshorn, Henderson, Hunt, Keller, Larrabee, Mitchell, Nichols of Benton, Nielander, Rothert, Russell of Greene, Shrader, and Smith—18.

Absent or not voting:

Senators Bills, Cotton, Dashiell, Graves, Harmon, Hebard, Johnson, Kamrar, Logan, Nichols of Muscatine, Prizer, Sudlow, Whaley, and Wright—14.

The vote being a tie the chair voted yea.

So the resolution was laid on the table.

At 12 o'clock and fifteen minutes the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 13, 1882. }

The Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. Keith.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked.

House File No. 101, a bill for an act to legalize the incorporation of the the town of West Point, Lee county, Iowa.

House File No. 135, a bill for an act to provide for the construction of levees, by amending sections 1207, 1208, 1209, 1210, and 1211 of chapter 2, title 10 of the Code of 1873, and chapter 140 of the laws of the Sixteenth General Assembly, and chapter 121 of the laws of the Seventeenth General Assembly, and chapter 85 of the laws of the Eighteenth General Assembly, relating to drains, ditches, and water-courses.

House File No. 220, a bill for an act to legalize the incorporation of the town of Dayton and its ordinances, and the acts of its officers thereunder.

Also, have passed substitute for Senate File No. 54, a bill for an act to amend chapter 194 laws of the Eighteenth General Assembly, relative to making appropriations for the Iowa State Library.

E. C. HAYNES, *Clerk*.

The journal of February 11, 1882, was read and approved.

#### INTRODUCTION OF BILLS.

By Senator Larrabee, Senate File No. 174, a bill for an act to provide for the levy of one-half mill State tax to reimburse the general revenue fund of the State for money paid on account of war debts.

Read a first and second time and referred to the Committee on Ways and Means.

Also, Senate File No. 175, a bill for an act amending section 1753 of the Code, in relation to the insurance of school-houses.

Read a first and second time and referred to the Committee on Schools.

Also, Senate File No. 176, a bill for an act to require the Board of Railroad Commissioners to determine matters in dispute, in relation to railway crossings.

Read a first and second time, ordered printed, and referred to the Committee on Railways.

By Senator Abraham, Senate File No. 177, a bill for an act to repeal the second proviso of section 1289 and to provide a substitute therefor, in regard to damages by fire caused by the operation of railways.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Clark of Page, Senate File No. 178, a bill for an act amending section 2340 of the Code of 1873, in relation to the proving of wills.

Read a first and second time and referred to the Committee on Judiciary.

Also, Senate File No. 179, a bill for an act to legalize the incorporation of the town of Braddyville, and corporate acts thereof and the acts of its officers.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Hemenway, Senate File No. 180, a bill for an act to amend chapter 89, of the acts of the Eighteenth General Assembly, relating to the power of cities to acquire and dispose of real property.

Read a first and second time and referred to the Committee on Judiciary.

#### RESOLUTIONS.

Senator Gillett offered the following resolution, which was adopted:

*Be it resolved by the Senate, the House concurring,* That there be a committee of three (one from the Senate and two from the House) to visit the city of Boone, Iowa, and examine and report as to the advisability of establishing a State Normal School at or near said city.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate Files Nos. 5, 95, and 111, bills for an act in relation to duties of boards of equalization, beg leave to report that they have had the same under consideration, and have instructed me to report the enclosed substitute to the Senate with the recommendation that it do pass.

WM. LARRABEE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 61, a bill for an act to regulate the time of paying taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

WM. LARRABEE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 74, a bill for an act to repeal sections 857, 865, and 866 of the Code, and provide substitutes therefor, allowing semi-annual payment of taxes; also, to amend section 871 of the Code, changing time of taxsale, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

WM. LARRABEE, *Chairman*.

Ordered passed on file.

Senator Nichols of Muscatine presented the following report:

MR. PRESIDENT—The undersigned, representing the minority of your Committee on Ways and Means, to whom was referred Senate File No. 74, a bill for an act to provide for semi-annual payment of taxes, respectfully represent that we have had the same under consideration, and finding ourselves unable to agree with the majority report of the same, beg leave to make this our minority report; to-wit,

1. For good and obvious reasons we believe, with Governor Sherman, that semi-annual payment of taxes inaugurated here would materially reduce our delinquent taxlist and annual taxsales, in that, while the plan makes taxpaying much easier, it at the same time doubles the inducements to the citizen to pay his taxes when due.

2. The plan provides the best possible preventative against defalcation in that, while the amounts collected would be ample to meet ordinary expenses of the government, there would not be any large amounts of money on hand for any considerable length of time to furnish the opportunity for, and temptation to, a corrupt use of the public funds.

3. The plan would leave in the hands of the taxpayers of the State at their option five millions of dollars for six months to do service in the varied industries of the State, while if paid in, would not only be of no use to the government for that length of time, but a source of inconvenience and loss, in that it must be guarded and the risk incurred of losing a portion thereof before it would be legitimately used in the interests of the government.

4. We find that the expenses to be met by the government as a

rule are monthly, and that at the end of the month, such being especially the case in relation to school expenses and the salaries of our legion of public officers, who are paid after the service is rendered, while as to the expense of our State institutions, pay quarterly in advance would meet every necessity. Such being the case, it is manifestly imposing an unnecessary and inexcusable burthen on the taxpayers of the State to require them, under strong penalties, to pay in the aggregate five millions of dollars annually six months before it can be legitimately used, only that it may be looked up for that length of time, or that private interests may get the use of it without charge and at the expense of the taxpayers. It is thus seen that the interests of good government would be much better conserved by the semi-annual payment of taxes, and it is believed that when properly understood by our people it would be more than satisfactory to all parties, save those whose personal interests run in the direction of requiring taxes to be paid in six months before being used by the government.

5. We find that in States where this plan has been adopted it gives the best of satisfaction, especially in Ohio, where all bear witness of its good effects, both as to the public revenues and the interest of the private citizen, it being claimed by both the Auditor and Governor of that State that the plan "makes taxpaying much easier"; "keeps money in circulation"; "prevents defalcation"; that it is in every sense a good law "against which no objection can be raised, and that, after twenty-three years' experience no inducements would be sufficient to cause them to go back to the old annual system of payment of taxes."

6. Now, the undersigned believes that a measure that would do away with "more than one-half our annual taxsales"; that would virtually dry up the stream of defalcation; that "would make taxpaying much easier" than under the present law; that would prevent "the locking up of a large sum of money for several months each year"; that would save the taxpayers of the State from paying, in the aggregate, a large sum of money in the way of interest each year; a measure that in so many ways would lighten the unnecessary burthens of taxation, while it would do no injustice to any citizen, interest, or corporation; a measure that has been proved in some of our best and most prosperous States, and found to be in every sense a good law—such a measure, the undersigned believe, would be a good thing for Iowa, and therefore ask that this report be substituted for the majority report on said bill, and recommend that the bill do pass.

NICHOLS OF MUSCATINE,  
*Representing said minority.*

Senator Nichols of Muscatine moved that Senate File No. 74, a bill for an act to repeal sections 857, 865, and 866 of the Code, and provide substitutes allowing semi-annual payment of taxes, and amending section 871 of the Code, changing the time of taxsale, with the report of the majority and minority of the committee, be made a special order for Tuesday, February 21, at 10 o'clock.

The motion was lost.

Leave of absence until Wednesday next was asked for Senators Wilson, Rothert, and Poyneer, by Senators Brown of Van Buren, Hartshorn, and Garber, respectively.

## BILLS ON THIRD READING.

Senate File No. 22, a bill for an act to insure the better education of practitioners of dentistry in the State of Iowa, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Keokuk, Clark of Page, Dashiell, Garber, Graves, Greenlee, Hall, Hartshorn, Hemenway, Henderson, Hunt, Kamrar, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Robinson, Shrader, Smith, Sudlow, Tirrill, and Wright—26.

The nays were:

Senators Boling, Brown of Van Buren, Clark of Wayne, Hutchison, Keller, Logan, Nielander, Parker, Patrick, Prizer, Russell of Jones, Wall, and Whaley—13.

Absent or not voting:

Senators Cotton, Gillett, Harmon, Hebard, Johnson, Larrabee, Nichols of Benton, Poyneer, Rothert, Russell of Greene, and Wilson—11.

So the bill passed, and the title was agreed to.

Senate joint resolution and memorial relative to the construction of the Rock Island and Hennepin Canal was taken up, considered, and, on motion of Senator Abraham, ordered passed on file.

## BILLS ON SECOND READING.

Senate File No. 97, a bill for an act establishing a geological survey of Iowa, and defining the purpose and work thereof, was taken up and considered, and, on motion of Senator Wright, ordered passed on file.

Senate File No. 33, a bill for an act to amend sections 2077, 2078, 2080, 3061, and 3106 of the Code relating to the rate of interest, with report of committee recommending it do pass, was taken up and considered.

Senator Gillett moved to strike from the bill all after the enacting clause and insert the following:

SECTION 1. That section 2077 of the Code, be amended by adding at the end of the third line of the seventh subdivision of said section the words "any rate of" and striking out the rest of said seventh subdivision after the word interest in the fourth line.

SEC. 2. That section 2078 of the Code be amended by striking out all of said section after the word "year" in the third line of said section.

SEC. 3. That sections 2079, 2080, and 2081 of the Code, be and the same are hereby repealed.

SEC. 4. All laws inconsistent herewith are repealed.

The question being on the motion moved by Senator Gillett, to strike out and insert, the yeas and nays were demanded.

The yeas were:

Senators Baker, Boling, Gillett, Graves, Hall, Henderson, Hutchison, Keller, Mitchell, Nielander, Prizer, and Robinson—12.

The nays were:

Senators Abraham, Arnold, Bills, Brown of Keokuk, Brown of Van

Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Greenlee, Hartshorn, Hemenway, Hunt, Kamrar, Larrabee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley and Wright—29.

Absent or not voting:

Senators Cotton, Harmon, Hebard, Johnson, Nichols of Benton, Poyneer, Rothert, Russell of Greene, and Wilson—9.

So the amendment was lost.

Senator Gillett moved to strike from section 1 of the bill, the word "eight" and insert the word "six," which was not agreed to.

Senator Gillett moved to strike the word "eight" from the bill and insert the word "seven," which motion did not prevail.

#### COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the Governor and ordered passed on file.

STATE OF IOWA,  
EXECUTIVE DEPARTMENT,  
DES MOINES, February 13, 1882. }

MR. PRESIDENT—I am instructed by the Governor to report that he has signed, approved, and deposited in the office of the Secretary of State, the following bills:

Senate File No. 81, an act for the consolidation of the war and defense bond tax with the State revenue.

Senate File No. 21, making appropriation for the College for the Blind.

Senate File No. 91, an act to amend chapter 114, acts of the Sixteenth General Assembly, relating to the submission of Constitutional amendments to a vote of the people.

WELKER GIVEN, *Private Secretary.*

The question being on the pending motion of Senator Gillett, to strike the word "eight" from section 1, and insert "seven," the yeas and nays were demanded.

The yeas were:

Senators Baker, Gillett, Keller, and Marshall—4.

The nays were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Graves, Greenlee, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—35.

Absent or not voting:

Senators Cotton, Hall, Harmon, Hebard, Johnson, Mitchell, Nichols of Benton, Poyneer, Rothert, Russell of Greene, and Wilson—11.

So the motion was lost.

Senator Gillett moved to amend section 1 by adding the following: "But no judgment shall draw interest at a greater rate than six per cent after the taking effect of this act."

On which question the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Baker, Boling, Clark of Wayne, Dashiell, Gillett, Graves, Henderson, Kamrar, Larrabee, Marshall, Nielander, Prizer, Shrader, Tirrill, and Wall—16.

The nays were:

Senators Abraham, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Page, Garber, Greenlee, Hall, Hartshorn, Hemenway, Hunt, Hutchison, Keller, Logan, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Robinson, Russell of Jones, Smith, Sudlow, Whaley, and Wright—24.

Absent or not voting:

Senators Cotton, Harmon, Hebard, Johnson, Mitchell, Nichols of Benton, Poyneer, Rothert, Russell of Greene, and Wilson—10.

So the amendment was not agreed to.

Senator Gillett moved to strike out the word "eight" and insert "five."

The yeas and nays were demanded, and

The yeas were:

Senators Baker, Clark of Wayne, Gillett, and Wall—4.

The nays were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Garber, Graves, Greenlee, Hall, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, and Wright—36.

Absent or not voting:

Senators Cotton, Harmon, Hebard, Johnson, Mitchell, Nichols of Benton, Poyneer, Rothert, Russell of Greene, and Wilson—10.

So the amendment was lost.

Senator Hall moved that the bill lie on the table, on which the yeas and nays were demanded, and

The yeas were:

Senators Baker, Boling, Brown of Van Buren, Gillett, Hall, Henderson, Hutchison, Keller, Nielander, Parker, Prizer, Tirrill, and Wright—13.

The nays were:

Senators Abraham, Arnold, Bills, Brown of Keokuk, Clark of Page, Clark of Wayne, Dashiell, Garber, Graves, Greenlee, Hartshorn, Hemenway, Hunt, Kamrar, Larrabee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Patrick, Russell of Jones, Shrader, Smith, Sudlow, Wall, and Whaley—26.

Absent or not voting:

Senators Cotton, Harmon, Hebard, Johnson, Mitchell, Nichols of Benton, Poyneer, Robinson, Rothert, Russell of Greene, and Wilson—11.

So the motion to lay the bill on the table did not prevail.

The question being on the engrossment of the bill for a third reading, the bill was ordered engrossed.

Senator Greenlee moved that the Senate do now adjourn, which motion was not agreed to.

Senate File No. 126, a bill for an act to amend chapter 183 of the acts of the Eighteenth General Assembly, relating to the bonding of county indebtedness, with report of committee recommending amendment by adding the clause: "and strike out the word 'seven' in the third line of section 2 of said chapter and insert the word 'six'"; and that when so amended it do pass, was taken up and considered.

The report of the committee was adopted.

Senator Larrabee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Gillett, Graves, Greenlee, Hartshorn, Henderson, Hunt, Hutchison, Keller, Larrabee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—36.

The nays were:

Senator Hemenway—1.

Absent or not voting:

Senators Abraham, Cotton, Harmon, Hall, Hebard, Johnson, Kamrar, Mitchell, Nichols of Benton, Poyneer, Rothert, Russell of Greene, and Wilson—13.

So the bill passed, and the title was agreed to.

Senator Hall had leave to offer the following:

*Resolved by the Senate, the House concurring*, That the Nineteenth General Assembly shall stand adjourned on the tenth day of March, 1882, at eleven o'clock and thirty minutes A. M., at which hour the President and Speaker of the House shall declare their respective houses adjourned *sine die*.

Senator Nichols of Muscatine moved to amend by striking out the word "tenth" and inserting the word "seventeenth."

Senator Clark of Wayne moved to amend the amendment by striking out "seventeenth" and inserting "first."

Senator Dashiell moved that the resolution be referred to the Committee on Ways and Means, which motion did not prevail.

The amendment moved by Senator Clark of Wayne was lost.

The question being on the motion to strike out the word "tenth" and insert "seventeenth," the same was not agreed to.

The question recurring on the adoption of the resolution offered by Senator Hall, the yeas and nays were demanded.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling Brown of Keokuk, Clark of Page, Clark of Wayne, Garber, Gillett, Graves, Hall, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Marshall, Nielander, Patrick, Prizer, Robinson, Sudlow, Tirrill, Wall, and Wright—26.

The nays were:

Senators Brown of Van Buren, Dashiell, Greenlee, Hartshorn, Hemenway, Keller, Logan, Nichols of Guthrie, Nichols of Muscatine, Parker, Russell of Jones, Shrader, Smith, and Whaley—14.

Absent or not voting:



Senators Cotton, Harmon, Hebard, Johnson, Mitchell, Nichols of Benton, Poyneer, Rothert, Russell of Greene, and Wilson—10.

So the joint resolution passed the Senate.

Senator Smith, by leave, called up House joint resolution relative to instructing the mail carrier to procure a leather mail pouch, and the resolution was concurred in.

At five o'clock and ten minutes on motion of Senator Clark of Wayne, the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 14, 1882. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. I. P. Wooton.

The journal of yesterday was read and approved.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 122, a bill for an act to legalize the incorporation of the town of Spencer, Clay county, Iowa, the election of its officers, and all acts done, and ordinances passed by the council of said town.

House File No. 63, a bill for an act to amend section 3072, chapter 2, title 18, Code, relating to exemptions.

House File No. 12, a bill for an act to amend section 7, chapter 100, laws of the Sixteenth General Assembly, in relation to mechanic's liens.

Substitute for House File No. 19, being a bill for an act to amend chapter 143, of the acts of the Sixteenth General Assembly, entitled an act to provide for establishing superior courts in cities of a certain class.

House File No. 11, a bill for an act requiring boards of directors to set out trees on school grounds.

E. C. HAYNES, *Clerk*.

#### PETITIONS AND MEMORIALS.

Senator Rothert presented a petition praying for the enactment of a law against the circulation and sending of obscene literature.

Referred to the Committee on Judiciary.

A petition was presented by Senator Hall, from citizens of Burlington asking for the enactment of a law furnishing to public officers an annotated statute, with notes, references, and digest of the decisions of the Supreme Court.

Referred to the Committee on Compensation of Public Officers.

## INTRODUCTION OF BILLS.

Senate File No. 181, a bill for an act to regulate parties loaning money in the State of Iowa.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Sudlow, Senate File No. 182, a bill for an act to appropriate funds to purchase land and to erect and furnish buildings, and make improvements for the Soldiers' Orphans' Home, and Home for Indigent Children.

Read a first and second time, ordered printed, and referred to the Committee on Appropriations.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

Senate File No. 47, a bill for an act to repeal section 2155 of the Code, relating to limited partnerships, and to enact a substitute therefor.

Senate File No. 115, a bill for an act to legalize the incorporation of the town of Orford, and the change of name to Montour.

R. B. BAIRD, *Assistant Clerk*.

By Senator Hemenway, Senate File No. 183, a bill for an act to provide for special election of school officers, and to secure the maintenance of schools in independent districts.

Read a first and second time, ordered printed, and referred to the Committee on Schools.

By Senator Russell of Greene, Senate File No. 184, a bill for an act relating to taking private property for railway purposes.

Read a first and second time, ordered printed, and referred to the Committee on Judiciary.

By the Judiciary Committee, Senate File No. 185, a bill for an act to repeal section 3774, of the Code of 1873, and to provide a substitute therefor, and to fix the salaries of the judges of the Circuit and District Courts.

Read a first and second time, ordered printed, and passed on file.

By Senator Nichols of Benton, Senate File No. 186, a bill for an act making appropriations for the College for the Blind.

Read a first and second time, ordered printed, and referred to the Committee on Appropriations.

## RESOLUTIONS.

The following resolution, offered by Senator Smith, was adopted:

*Resolved*, That on to-morrow, February 15, at 11 o'clock A. M. the Senate elect a President *pro tem*.

Senator Hunt offered the following:

*Resolved by the Senate*, That after February 20, 1882, we hold two

sessions a day, except Mondays and Saturdays, unless otherwise ordered.

The resolution was adopted.

#### INTRODUCTION OF BILLS.

Senator Smith, by leave, introduced Senate File No. 187, a bill for an act making appropriations for the Girls' Department of the Iowa Reform School.

Read a first and second time, ordered printed, and referred to the Committee on Appropriations.

#### COMMUNICATIONS ON THE PRESIDENT'S TABLE.

A joint resolution of the legislature of Virginia, relative to instructing the Senators and Representatives from Virginia in Congress to support a bill introduced in the United States Senate, entitled "a bill to aid in the the establishment and temporary support of common schools."

Senator Sudlow asked leave of absence for to-day for Senator Wilson.

Leave was granted.

Senator Nichols of Benton introduced Senate File No. 188, a bill for an act to amend section 1675 of the Code, and to repeal section 1676 of the Code as amended by chapter 72 of the acts of the Seventeenth General Assembly, and chapter 165 of the acts of the Eighteenth General Assembly and to enact a substitute therefor.

Read a first and second time and referred to the Committee on College for the Blind.

#### REPORTS OF COMMITTEES.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 162, a bill for an act to amend paragraph 4 of section 2529, chapter 12, title 17 of the Code of 1873, relating to limitations of actions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 135, a bill for an act in relation to the exemption of sewing-machines from execution and attachment, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 152, a bill for an act to legalize certain proceed-

ings, orders, and judgments of the District and Circuit Courts of the Fifth Judicial District of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting the word "Nineteenth" before the words "General Assembly" in tenth line of preamble of said bill; also, by inserting the word "said" before the words "General Assembly" in line eighth of section 1 thereof, and that when so amended it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Brown of Keokuk, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined the following bills, and find the same correctly engrossed:

Senate File No. 100, a bill for an act amendatory to section 4489 of the Code of 1873, relating to new trials in criminal cases, and providing an additional ground therefor.

Also, Senate File No. 83, a bill for an act to amend sections 2077, 2078, 2080, and 3106 of the Code, relating to the rate of interest.

C. C. BROWN, *Chairman*.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined the following bills, and find the same correctly enrolled:

Senate File No. 47, a bill for an act to repeal section 2155 of the Code, relating to limited partnerships, and enacting a substitute therefor.

Also, Senate File No. 115, a bill for an act to legalize the incorporation of the town of Orford and the change of name to Montour.

Senate File No. 91, a bill for an act to amend chapter 114 of the acts of the Sixteenth General Assembly, relating to the submission of amendments to the Constitution to a vote of the people.

T. E. CLARK, *Chairman*.

Senator Rothert from the special committee appointed to visit the Asylum for the Deaf and Dumb, asked until Thursday next within which to file a report.

Leave was given.

#### HOUSE MESSAGES.

On motion of Senator Wright, House messages were taken up.

House concurrent resolution relative to pleuro-pneumonia was taken up and referred to the Committee on Agriculture.

Senate joint resolution relative to the post-office was taken up, and the House amendment striking out the words "seven and one-half" and inserting "eight and one-half," was concurred in.

House File No. 101, a bill for an act to legalize the incorporation of the town of West Point, Lee county, Iowa, was taken up.

Read a first and second time and referred to the Judiciary Committee.

sessions a day, except Mondays and Saturdays, unless otherwise ordered.

The resolution was adopted.

#### INTRODUCTION OF BILLS.

Senator Smith, by leave, introduced Senate File No. 187, a bill for an act making appropriations for the Girls' Department of the Iowa Reform School.

Read a first and second time, ordered printed, and referred to the Committee on Appropriations.

#### COMMUNICATIONS ON THE PRESIDENT'S TABLE.

A joint resolution of the legislature of Virginia, relative to instructing the Senators and Representatives from Virginia in Congress to support a bill introduced in the United States Senate, entitled "a bill to aid in the the establishment and temporary support of common schools."

Senator Sudlow asked leave of absence for to-day for Senator Wilson.

Leave was granted.

Senator Nichols of Benton introduced Senate File No. 188, a bill for an act to amend section 1675 of the Code, and to repeal section 1676 of the Code as amended by chapter 72 of the acts of the Seventeenth General Assembly, and chapter 165 of the acts of the Eighteenth General Assembly and to enact a substitute therefor.

Read a first and second time and referred to the Committee on College for the Blind.

#### REPORTS OF COMMITTEES.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 162, a bill for an act to amend paragraph 4 of section 2529, chapter 12, title 17 of the Code of 1873, relating to limitations of actions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 135, a bill for an act in relation to the exemption of sewing-machines from execution and attachment, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 152, a bill for an act to legalize certain proceed-

ings, orders, and judgments of the District and Circuit Courts of the Fifth Judicial District of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting the word "Nineteenth" before the words "General Assembly" in tenth line of preamble of said bill; also, by inserting the word "said" before the words "General Assembly" in line eighth of section 1 thereof, and that when so amended it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Brown of Keokuk, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined the following bills, and find the same correctly engrossed:

Senate File No. 100, a bill for an act amendatory to section 4489 of the Code of 1873, relating to new trials in criminal cases, and providing an additional ground therefor.

Also, Senate File No. 33, a bill for an act to amend sections 2077, 2078, 2080, and 3106 of the Code, relating to the rate of interest.

C. C. BROWN, *Chairman*.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined the following bills, and find the same correctly enrolled:

Senate File No. 47, a bill for an act to repeal section 2155 of the Code, relating to limited partnerships, and enacting a substitute therefor.

Also, Senate File No. 115, a bill for an act to legalize the incorporation of the town of Orford and the change of name to Montour.

Senate File No. 91, a bill for an act to amend chapter 114 of the acts of the Sixteenth General Assembly, relating to the submission of amendments to the Constitution to a vote of the people.

T. E. CLARK, *Chairman*.

Senator Rothert from the special committee appointed to visit the Asylum for the Deaf and Dumb, asked until Thursday next within which to file a report.

Leave was given.

#### HOUSE MESSAGES.

On motion of Senator Wright, House messages were taken up.

House concurrent resolution relative to pleuro-pneumonia was taken up and referred to the Committee on Agriculture.

Senate joint resolution relative to the post-office was taken up, and the House amendment striking out the words "seven and one-half" and inserting "eight and one-half," was concurred in.

House File No. 101, a bill for an act to legalize the incorporation of the town of West Point, Lee county, Iowa, was taken up.

Read a first and second time and referred to the Judiciary Committee.

House File No. 135, a bill for an act to provide for the construction of levees by amending sections 1207, 1208, 1209, 1210, and 1211, of chapter 2, title 10 of the Code of 1873, and chapter 140 of the laws of the Sixteenth General Assembly, and chapter 121 of the laws of the Seventeenth General Assembly, and chapter 85 of the laws of the Eighteenth General Assembly, relating to drains, ditches, and water-courses, was taken up, and, on motion, referred to the Judiciary Committee.

House File No. 220, a bill for an act to legalize the incorporation of the town of Dayton and its ordinances, and the acts of its officers thereunder, was taken up.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 122, a bill for an act to legalize the incorporation of the town of Spencer, in Clay county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

Read a first and second time and referred to the Judiciary Committee.

House File No. 63, a bill for an act to amend section 3072, chapter 2, title 18 of the Code relating to exemptions.

Read a first and second time and referred to the Judiciary Committee.

Substitute for House File No. 19, a bill for an act to amend chapter 143 of the acts of the Sixteenth General Assembly, entitled "an act to provide for establishing superior courts in cities of a certain grade, additional to chapter 10, title 4 of the Code, of cities and towns."

Read a first and second time and referred to the Judiciary Committee.

House File No. 11, a bill for an act requiring boards of directors to set out trees on school grounds.

Read a first and second time and referred to the Committee on Schools.

House File No. 12, a bill for an act to amend section 7, chapter 100, laws of the Sixteenth General Assembly, in relation to mechanics' liens, was taken up, read a first and second time, and referred to the Judiciary Committee.

#### INTRODUCTION OF BILLS.

Senator Nichols of Guthrie, by leave, introduced Senate File No. 189, a bill for an act authorizing the purchase of grounds by the State for the use of the State fair and appropriating money to pay therefor.

Read a first and second time, ordered printed, and referred to the Committee on Agriculture.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

House File No. 14, a bill for an act to legalize the acts of the town of Salem, county of Henry, State of Iowa.

House File No. 20, a bill for an act to legalize the incorporation of the town of Redfield, Dallas county, Iowa.

House File No. 148, a bill for an act to legalize the town of Logan,

in the county of Harrison, and State of Iowa, and to legalize the acts of the town council and other officers thereof.

R. B. BAIRD, *Assistant Clerk*.

Senator Logan, by leave, introduced Senate File No. 190, a bill for an act making appropriations for the Asylum for Feeble-Minded Children at Glenwood.

Read a first and second time and referred to the Committee on Appropriations.

#### BILLS ON SECOND READING.

Senate File No. 152, a bill for an act to legalize certain proceedings, orders, and judgments of the District and Circuit Courts of the Fifth Judicial District of Iowa, with report of committee recommending amendment by inserting the word "Nineteenth" before the words "General Assembly" in the tenth line of preamble of said bill; also, by inserting the word "said" before the words "General Assembly" in line eight of section 1 thereof, and that when so amended it do pass, was taken up and considered.

The amendments were adopted.

Senator Smith moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Hartshorn, Hemenway, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Brown of Keokuk, Harmon, Hebard, Henderson, Johnson, Russell of Greene, and Wilson—7.

So the bill passed, and the title was agreed to.

House joint resolution relative to the construction of the Hennepin Canal was taken up and considered.

Senator Bills moved that the rule be suspended, and the resolution be considered engrossed, and read a third time now, which motion prevailed.

The resolution was read a third time.

On the question, shall the joint resolution pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley and Wright—44.



The nays were—None.

Absent or not voting.

Senators Harmon, Hebard, Johnson, Rothert, Russell of Greene, and Wilson—6.

So the joint resolution passed, and the title was agreed to.

Senator Logan had leave to call up House joint resolution and memorial relative to improving the Missouri River.

Senator Logan moved that the rule be suspended, and the resolution be considered engrossed, and read a third time now.

The motion was agreed to, and the resolution was read a third time.

On the question, shall the resolution and memorial pass?

The yeas were:

Senators Abraham, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Graves, Greenlee, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—41.

The nays were:

Senator Gillett—1.

Absent or not voting:

Senators Arnold, Baker, Hall, Harmon, Hartshorn, Hebard, Johnson, and Wilson—8.

So the joint resolution and memorial passed, and the title was agreed to.

#### BILLS ON THIRD READING.

Senate File No. 100, a bill for an act amendatory to section 4489 of the Code of 1873, relating to new trials in criminal causes, and providing additional ground therefor, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Garber, Gillett, Graves, Hall, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—43.

The nays were:

Senator Greenlee—1.

Absent or not voting.

Senators Brown of Van Buren, Dashiell, Harmon, Hebard, Johnson, and Wilson—6.

So the bill passed, and the title was agreed to.

Senate File No. 33, a bill for an act to amend sections 2077, 2078, 2080, 3061, and 3106 of the Code, relating to the rate of interest, was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Brown of Keokuk, Clark of Page,

Dashiell, Garber, Gillett, Graves, Greenlee, Hartshorn, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—32.

The nays were:

Senators Baker, Boling, Brown of Van Buren, Cotton, Henderson, Keller, Mitchell, Nielander, Parker, Prizer, Robinson, and Rothert—12.

Absent or not voting:

Senators Clark of Wayne, Hall, Harmon, Hebard, Johnson, and Wilson—6.

So the bill passed, and the title was agreed to.

House File No. 6, a bill for an act to repeal chapter 123, acts of the Eighteenth General Assembly, relating to fish-ways, was taken up and considered.

Senator Larrabee moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Hartshorn, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—42.

The nays were—None.

Absent or not voting:

Senators Harmon, Hebard, Hemenway, Johnson, Robinson, Rothert, Russell of Greene, and Wilson—8.

So the bill passed, and the title was agreed to.

Senator Larrabee called up Senate File No. 72, a bill for an act amendatory of the Code of 1873, in relation to the manner of canceling county warrants, and had the substitute recommended by the committee ordered printed, and the bill was passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 47, a bill for an act to repeal section 2155 of the Code relating to limited partnerships and enacting a substitute therefor.

Senate File No. 115, a bill for an act to legalize the incorporation of the town of Orford and the change of name to Montour.

And find the same correctly enrolled.

T. E. CLARK, *Chairman.*

Senate File No. 89, a bill for an act to provide a State entomologist and for the publication of his reports, was taken up and considered by sections.

Section 1 was adopted without amendment.

Senator Russell of Jones moved to strike from the ninth line of section 2 the words "sold or"; which motion prevailed.

Senator Rothert moved to strike out of the fourth line of section 2 the words "one thousand" and insert the words "five hundred"; and to strike out the word "five" in the fifth line of section 2 and insert "fifteen," which was agreed to.

Senator Cotton moved to insert in the fifth line of section 2 after the word "distribution" the words "two hundred copies for the use of the State Library," which amendment prevailed.

Section 2 as thus amended was adopted.

Senator Hunt moved to insert after the word "insects" in line two of section 3 the words "especially hotels."

The motion was lost.

Section 3 was adopted.

Sections 4 and 5 were adopted without amendment.

Senator Russell of Jones moved to suspend the rule, and read the bill a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Garber, Gillett, Graves, Greenlee, Hall, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Baker, Boling, Dashiell, Harmon, Hebard, Johnson, and Wilson—7.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

Substitute for Senate File No. 119, a bill for an act to authorize cities of the second class to change their corporate names and to prescribe the manner in which such change may be made.

A. W. RENSHAW, *Second Assistant Clerk.*

At 12 o'clock the Senate ajourned until to-morrow.

SENATE CHAMBER,  
DES MOINES, IOWA, February 15, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Senator Marshall.

The journal of yesterday was read and approved.

#### PETITIONS AND MEMORIALS.

By Senator Garber, a petition from citizens of Clayton county, asking for the re-enactment of the prohibitory amendment to the Constitution of the State of Iowa without amendment, change, or delay.

Senator Wright presented a remonstrance from A. T. Fox, and other citizens of Pottawattamie county, against any enactment providing for holding court in the east end of Pottawattamie county.

Referred to the Committee on Judiciary.

#### INTRODUCTION OF BILLS.

By Senator Baker, Senate File No. 191, a bill for an act providing for the election of police judges in cities of the second class and defining their powers and duties.

Read a first and second time, ordered printed, and referred to the Committee on Municipal Corporations.

By Senator Whaley, Senate File No. 192, a bill for an act apportioning the State into senatorial districts.

Read a first and second time, ordered printed, and referred to the Committee on Senatorial Districts.

By Senator Wright, Senate File No. 193, a bill for an act to amend section 1, chapter 203, laws of the Eighteenth General Assembly, relating to the institution for the Deaf and Dumb.

Read a first and second time and referred to the Committee on Appropriations.

Also, Senate File No. 194, a bill for an act making appropriation for the institution for the Deaf and Dumb at Council Bluffs.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Poyneer, Senate File No. 195, a bill for an act amending section 3, of chapter 151, acts of the Eighteenth General Assembly, relating to fees of clerks of District and Circuit Courts.

Read a first and second time and referred to the Committee on Compensation of Public Officers.

By Senator Sudlow, Senate File No. 196, a bill for an act to amend sections 2263, 2375, 2386, 2399, 2403, 2419, and 2427 of the Code of 1873, relating to the power of the clerk of the Circuit Court in settlement of estates and guardianship.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Hall, Senate File No. 197, a bill for an act to amend section 215 of the Code of Iowa.

Read a first and second time and referred to the Committee on Judiciary.

Also, Senate File No. 198, a bill for an act regulating the sale and transfer of grain in elevators and other places of storage.

Read a first and second time and referred to the Committee on Commerce.

By Senator Kamrar, Senate File No. 199, a bill for an act to prohibit any township officer from becoming surety on the official bond of another township officer.

Read a first and second time and referred to the Committee on Ways and Means.

By Senator Cotton, Senate File No. 200, a bill for an act to authorize the sale and conveyance of "indemnity swamp-lands" so-called.

Read a first and second time and referred to the Committee on Public Lands.

#### REPORTS OF COMMITTEES.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 94, a bill for an act to repeal section 746, chapter 7, title 5 of the Code, in relation to the removal and suspension from office of county and township officers, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

WM. LARRABEE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means to whom was referred Senate File No. 133, a bill for an act to amend sections 2077 and 2078, and repeal sections 2079, 2080, and 2081 of the Code, relating to the rate of interest, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WM. LARRABEE, *Chairman*.

Ordered passed on file.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 166, a bill for an act to legalize the independent school district of Volga City, Clayton county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. T. WRIGHT *Chairman pro tem*.

Senator Hartshorn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred

Senate File No. 127, a bill for an act entitled "an act to prohibit corporal punishment in public schools," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. J. HARTSHORN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was recommended Senate File No. 41, a bill for an act in relation to the loaning and management of the permanent school fund, and repealing section 1865 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted it do pass.

E. J. HARTSHORN, *Chairman.*

Ordered passed on file.

Senator Russell of Jones, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 146, a bill for an act to repeal sections 1, 2, 3, 4, 5, and 6, of chapter 168 of the laws of the Eighteenth General Assembly, relating to the Commissioner of Immigration, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "all of sections Nos. 1, 2, 3, 4, 5, and 6 of," in the first line of section 1; and by striking out the word "are," in third line of section 1, and substituting the words "the same is"; and as so amended that it do pass.

JOHN RUSSELL, *Chairman.*

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 171, a bill for an act to amend chapter 95, laws of the Sixteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 46, a bill for an act to repeal section 390 of Code, and to enact a substitute therefor, in relation to the election of assessors, beg leave to report that they have had the same under consideration, and have made divers amendments thereto, and have instructed me to report the same back to the Senate with the recommendation that it do pass as amended.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 129, a bill for an act granting additional powers to cities organized under the general incorporation laws of the State, beg leave to report that they have had the same under consideration, and have made sundry amendments thereto, and have instructed me to report the same back to the Senate with the recommendation that as amended the same do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 130, a bill for an act to authorize certain cities to levy a special tax to purchase property for park purposes and for the improvement of parks, beg leave to report that they have had the same under consideration, and have made several amendments thereto, and have instructed me to report the same back to the Senate with the recommendation that as amended it do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Senator Brown of Van Buren, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred House File No. 30, a bill for an act to amend section 3, chapter 159, acts of 1876, in relation to the printing and distribution of public documents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

ALEX. BROWN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate File No. 99, a bill for an act to repeal section 307 of the Code and to enact a substitute therefor in relation to publishing proceedings of boards of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

ALEX. BROWN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate File No. 87, a bill for an act amending section 307 of the Code of 1873, in relation to publishing the proceedings of the boards of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

ALEX. BROWN, *Chairman*.

Ordered passed on file.

Senator Tirrill, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred Senate File No. 153, a bill for an act amending section 1 of chapter 149 of the acts of the Seventeenth General Assembly, providing for an increase of guards at the Additional Penitentiary at Anamosa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

TIERILL, *Chairman*.

Ordered passed on file.

Senator Dashiell, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 168, a bill for an act to regulate the keeping of saloons in places not in cities or incorporated towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. A. DASHIELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 29, a bill for an act to repeal section 4026 of the Code, and to enact a section in lieu thereof, making it a felony to keep, manage, control, or direct gambling-houses, shops, or places, beg leave to report that they have had the same under consideration, and have instructed me report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. A. DASHIELL, *Chairman*.

Ordered passed on file.

Senator Baker, from the Committee on Medicine, Surgery, and Hygiene, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery, and Hygiene, to whom was referred Senate File No. 79, a bill for an act for the prevention of glanders, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be referred to the Judiciary Committee.

BAKER, *Chairman*.

Ordered passed on file.

Senator Cotton, from the special committee appointed to visit the Orphans' Home, submitted a report from that committee, which was ordered printed and referred to the standing Committee on Orphans' Home.

#### BILLS ON SECOND READING.

Senate File No. 48, a bill for an act to amend section 2018 of the Code, relating to landlords' liens, with report of committee recommending amendment by striking out section 2, being the publication clause thereof, and as so amended it do pass, was taken up and considered.

Senator Robinson moved that the rule be suspended, the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.



On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Hartshorn, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Wall, Whaley, Wilson, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Clark of Page, Harmon, Hebard, Hemenway, Johnson, Nichols of Guthrie, and Tirrill—7.

So the bill passed, and the title was agreed to.

House File No. 53, a bill for an act to legalize proceedings of the town council of the town of Corning, Adams county, Iowa, held on the 3d day of June, 1879, vacating a certain alley in said town, with the report of committee recommending that it do pass, was taken up and considered, and the bill was ordered passed on file for a third reading.

Senate File No. 134, a bill for an act to amend section 4374, chapter 24, title 25 of the Code in relation to change of venue, with report of committee recommending that it be indefinitely postponed, was taken up and the report of the committee adopted.

Senate File No. 106, a bill for an act to prohibit school directors from employing as teachers near relatives, or members of their own family, and to prohibit such directors, school secretaries, county superintendents, and principals of public schools from acting as agents for the sale of articles of supply for schools, with report of committee recommending it do pass, was taken up and considered.

Senator Marshall moved to strike from the second line of section 1, the words "or any relation within the third degree of consanguinity or affinity."

On this question the yeas and nays were demanded, and

The yeas were:

Senators Baker, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Dashiell, Garber, Greenlee, Hall, Henderson, Kamrar, Keller, Marshall, Mitchell, Parker, Poyneer, Prizer, Rothert, Russell of Greene, and Sudlow—19.

The nays were:

Senators Abraham, Arnold, Bills, Boling, Cotton, Gillett, Graves, Hartshorn, Hemenway, Hunt, Hutchison, Larrabee, Logan, Nichols of Benton, Nielander, Patrick, Robinson, Russell of Jones, Shrader, Smith, Tirrill, Wall, Whaley, Wilson, and Wright—25.

Absent or not voting:

Senators Clark of Page, Harmon, Hebard, Johnson, Nichols of Guthrie, and Nichols of Muscatine—6.

So the motion did not prevail.

Senator Hunt moved to insert the words "teach or" after the word "to" in the first line of section 1, which motion was lost.

Senator Brown of Keokuk moved to amend section 1, by striking the word "school" from the first line and inserting the prefix "sub" in its place.

The motion prevailed.

Senator Patrick moved to insert the prefix "sub" before the word "district" in the fourth line of section 1, which motion was agreed to.

Senator Robinson moved to insert the words "himself or" in the first line of section 1, which motion prevailed.

The hour of 11 o'clock A. M. having arrived, Senator Larrabee moved that the Senate now proceed to the election of a president *pro tempore* of the Senate.

The motion prevailed.

The roll of the Senate was called, with the following result:

The whole number of votes cast for the office of President <i>pro tempore</i> of the Senate was.....	44
Of which H. C. Hemenway received.....	43
Of which John W. Henderson received.....	1

Those voting for Senator Hemenway were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Hartshorn, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—43.

Senator Clark of Wayne, voted for Senator Henderson.

Absent or not voting:

Senators Clark of Page, Harmon, Hebard, Hemenway, Johnson, and Nichols of Guthrie—6.

Senator Hemenway having received a majority of the votes cast for the office of President *pro tempore* of the Senate, was declared duly elected to that office.

Senators Rothert and Arnold were appointed to conduct the President *pro tempore* to the chair.

Senator Hall moved to strike from line two of section 1 the word "own" and the clause "or any relation within the third degree of consanguinity or affinity."

On which the yeas and nays were demanded.

The yeas were:

Senators Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Dashiell, Garber, Graves, Greenlee, Hall, Henderson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Parker, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Sudlow, Wall, and Whaley—27.

The nays were:

Senators Abraham, Arnold, Bills, Cotton, Gillett, Hartshorn, Hunt, Hutchison, Nichols of Benton, Nielander, Patrick, Shrader, Smith, Tirrill, Wilson, and Wright—16.

Absent or not voting:

Senators Clark of Page, Harmon, Hebard, Hemenway, Johnson, Nichols of Guthrie, and Russell of Jones—7.

So the motion prevailed.

On motion of Senator Larrabee the time of adjournment was postponed ten minutes.

The bill was recommitted to the Committee on Schools on motion of Senator Russell of Greene.

#### INTRODUCTION OF BILLS.

Senator Kamrar, by leave, introduced Senate File No. 201, a bill for an act making an appropriation to pay a debt of five hundred dollars heretofore authorized by the executive council.

Read a first and second time, ordered printed, and referred to the Committee on Claims.

Senator Hall, by leave, introduced Senate File No. 202, a bill for an act to amend section 818 of the Code of 1873 in relation to the taxing of shares of national banks.

Read a first and second time and referred to the Committee on Ways and Means.

#### HOUSE MESSAGES.

Senator Arnold called up substitute for Senate File No. 119, which was read a first and second time and referred to the Committee on Municipal Corporations.

On motion of Senator Cotton, at 12:30 o'clock, the Senate adjourned until to-morrow.

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SENATE CHAMBER.  
DES MOINES, IOWA, February 16, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Prof. Gilcrest, of Cedar Falls.

The journal of yesterday was read and approved.

#### PETITIONS AND MEMORIALS.

Senator Bills, presented a petition from the State Brewers Association, which was referred to the Committee on Constitutional Amendments and ordered printed.

Senator Kamrar presented a petition from the Woman's Christian Temperance Union praying for the enactment of a law providing an appropriation for the building and maintaining of a woman's prison and reformatory.

Senator Brown of Van Buren offered a petition from citizens of Davis county, asking that the legislature make provision by law to supply public officers with an annotated statute, with notes, references, and digest of the decisions of the Supreme Court construing all sections of the statutes.

Referred to the Committee on Compensation of Public Officers.

## INTRODUCTION OF BILLS.

By Senator Wilson, Senate File No. 203, a bill for an act to legalize and make valid and binding the establishment of highways of a less width than sixty-six feet by county auditors.

Read a first and second time and referred to the Committee on Highways.

Also, Senate File No. 204, a bill for an act to repeal section 921 of the Code, and to enact a substitute therefor, relating to the establishment of highways.

Read a first and second time and referred to the Committee on Highways.

By Senator Logan, Senate File No. 205, a bill for an act to legalize the conveyance of certain land to the Logan Cemetery Association by the Blair Town Lot and Land Company, and to legalize the organization and acts of said Logan Cemetery Association.

Read a first and second time and referred to the Committee on Municipal Corporations.

By Senator Rothert, Senate File No. 206, a bill for an act making an appropriation for the improvement of the Iowa Penitentiary at Ft. Madison.

Read a first and second time, ordered printed, and referred to the Committee on Appropriations.

By Senator Nichols of Guthrie, Senate File No. 207, a bill for an act authorizing the election of a commissioner of highways, defining his duties and those of other township officers, in relation to the working of highways, and repealing section 948, of chapter 2 of the Code, and chapter 52, of the acts of the Eighteenth General Assembly.

Read a first and second time, ordered printed, and referred to the Committee on Highways.

By Senator Brown of Keokuk, Senate File No. 208, a bill for an act to repeal section 801 of the Code of 1873, and to enact a substitute therefor.

Read a first and second time, ordered printed, and referred to the Committee on Ways and Means.

Also, Senate File No. 209, a bill for an act to provide for the levy upon and sale of mortgaged personal property.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Hall, Senate File No. 210, a bill for an act to legalize an ordinance passed by the city council of the city of Burlington, November 8, A. D. 1880, providing for the construction and maintenance of sewers, etc.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Kamrar, Senate File No. 211, a bill for an act to prohibit any person from holding more than one township office at the same time.

Read a first and second time and referred to the Committee on County and Township Organization.

## RESOLUTION.

Senator Logan offered the following resolution, which was read a first and second time:

WHEREAS, The development of the northwestern portion of our State will be greatly promoted by the construction of bridges over the Missouri River above Omaha, in aid of inter-State trade and commerce by railroad; therefore,

*Be it resolved by the Senate, the House concurring,* That our Senators and Representatives in Congress be and they are hereby requested to vote for and to use their active influence to procure appropriate legislation by Congress to authorize the construction of railroad and highway bridges, in aid of the above mentioned object, over said Missouri River in Iowa, above Omaha, upon terms and with privileges equal to those already granted by Congress for bridges at and below Omaha.

*Resolved,* That the Secretary of State be and is hereby instructed to transmit a copy hereof to each of our Senators and Representatives in Congress.

Senator Logan moved that the rule be suspended, and the resolution be considered engrossed, and read a third time now.

The motion was agreed to.

The question being, shall the resolution pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Graves, Greenlee, Hartshorn, Henderson, Hunt, Hutchison, Kamar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Gillett, Hall, Harmon, Hebard, Hemenway, Johnson, and Shrader—7.

So the joint resolution passed, and the title was agreed to.

## MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked.

Joint resolution proposing to amend the Constitution so as to prohibit the manufacture and sale of intoxicating liquors as a beverage within this State.

Also, the House has passed without amendment—

Senate File No. 132, a bill for an act to legalize the incorporation, ordinances, and official proceedings of the town of Scranton, in Greene county, Iowa.

E. C. HAYNES, *Clerk.*

## REPORTS OF COMMITTEES.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 113, a bill for an act to increase the number of circuit judges in all the circuits of this State containing cities having a population in excess of twenty thousand, and to provide for the appointment and election of said judges, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting the word “two” after the word “twenty” in the fifth line, and the words “and three hundred” after the word “thousand” in the sixth line of the title; and also inserting the word “two” after the word “twenty” in the eighth line of section 1, and the words “and three hundred” after the word “thousand” in the eighth line of section 1, and the words “United States” before the word “census” in the ninth line of section 1, and that when so amended that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 125, a bill for an act to legalize defective acknowledgments to written instruments recorded in this State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the words “duly recorded” in section 1, lines fifth and sixth thereof be stricken out and the words “admitted to record” inserted in lieu thereof; also, the words “or elsewhere” in line ten of said section 1 be stricken out, and that when so amended it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Bills, from the Committee on Retrenchment, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment, to whom was referred Senate File No. 83, a bill for an act to repeal part of section 2, and all of sections 3, 4, 5, 6, 7, and 8, chapter 151, laws of the Eighteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report a substitute to the same back to the Senate with the recommendation that such substitute do pass.

BILLS, *Chairman*.

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 119, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Senator Robinson, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 118, a bill for an act to amend section 3791 of the Code, relating to the compensation of county supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 163, a bill for an act to amend section 506 of the Code of 1873, and providing for the compensation of mayors of cities and incorporated towns, acting as justices of the peace, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 144, a bill for an act to repeal section 3791 of the Code of 1873, and to enact a substitute therefor, relating to compensation of members of boards of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "less than" in eighth line of printed copy thereof, and inserting after the word "thousand" in the same line, the words "or less," and that when so amended it do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—The Committee on Enrolled Bills respectfully report Senate File No. 112, being an act to legalize incorporation and corporate acts of the town of Rockwell.

Senate File No. 120, an act appropriating money for a furnace for use in the Girls' Department of the Reform School, at Mitchellville.

Senate File No. 54, a bill for an act to amend chapter 194, laws of the Eighteenth General Assembly, relative to making appropriations for the Iowa State Library.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Senator Graves moved that House substitute for Senate File No. 119, a bill for an act to authorize cities of the second class to change their corporate names, and to prescribe the manner in which such change may be made, be taken up and considered.

The motion prevailed.

Senator Graves moved that the rule be suspended, and the bill be

considered engrossed, and read a third time now, which motion was agreed to.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—46.

The nays were—None.

Absent or not voting:

Senators Harmon, Hebard, Johnson, and Mitchell—4.

So the bill passed, and the title was agreed to.

#### BILLS ON THIRD READING.

Senate File No. 53, a bill for an act to legalize the proceedings of the town council of the town of Corning, Adams county, Iowa, held on the 3d day of June, 1879, vacating a certain alley in said town, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Hartshorn, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Arnold, Brown of Van Buren, Harmon, Hebard, Hemenway, and Johnson—6.

So the bill passed, and the title was agreed to.

#### BILLS ON SECOND READING.

Senate File No. 141, a bill for an act to amend section 1548, chapter 6, title 11 of the Code of 1873, relating to persons found in a state of intoxication, with report of committee recommending indefinite postponement, was taken up, and the report of the committee was adopted.

Senate File No. 145, a bill for an act to provide for the appointment of referees to examine the accounts of guardians, was taken up.

Senator Russell of Greene moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dash-



ieil Garber, Gillett, Graves, Greenlee, Hall, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Neilander, Parker, Patrick, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—48.

The nays were—None.

Absent or not voting:

Senators Harmon and Johnson—2.

So the bill passed, and the title was agreed to.

Senate File No. 38, a bill for an act to repeal section 1869 of the Code of 1873, and enacting a substitute, was taken up, and, on motion, was indefinitely postponed.

Senator Shrader, by leave, presented a memorial from the Iowa State Pharmaceutical Association, asking that the pharmacy law be so amended as to make the language thereof unequivocal.

Referred to the Committee on Suppression of Intemperance.

Senate File No. 131, a bill for an act to regulate the admission to practice as attorneys and counsellors in the courts of this State, with report of committee recommending it do pass, was taken up and considered.

Senator Larrabee moved to strike from line two of section 1 the words "at least twenty-one years of age."

The motion was lost.

Senator Garber moved to strike from section 2 all after the word "State," in the second line.

The motion did not prevail.

Senator Nichols of Muscatine moved to insert the words "or under the direction," after the word "office," in fourth line of section 2, and also after the word "office," in the fifth line of section 2.

The motion was not agreed to.

Senator Larrabee moved to strike from section 3 the words commencing with "actually," in line four, to and including the word "process," in line five.

Senator Arnold moved to extend the time of adjournment until the pending bill be disposed of.

The motion was lost.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have been duly enrolled and signed by the Speaker of the House:

Senate File No. 112, a bill for an act to legalize the incorporation and corporate acts of the the town of Rockwell.

Senate File No. 120, a bill for an act to appropriate money for a furnace for use in the Girls' Department of the Iowa Reform School at Mitchellville.

Senate File No. 54, a bill for an act to amend chapter 194, laws of the Eighteenth General Assembly, relative to making appropriations for the Iowa State library.

R. P. BAIRD, *Assistant Clerk.*

At 12 o'clock M. the Senate adjourned.

SENATE CHAMBER.  
DES MOINES, IOWA, February 17, 1882. }

The Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. S. S. Hunting.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS.

By Senator Clark of Page, Senate File No. 212, a bill for an act to transfer insurance matters from the Auditor of State to the Register of State Land Office, and to prescribe his duties.

Read a first and second time and referred to the Committee on Insurance.

By Senator Russell of Jones, Senate File No. 213, a bill for an act to repeal chapter 76, of the acts of the Eighteenth General Assembly, relating to frauds on hotel and boarding-house keepers.

Read a first and second time and referred to the Committee on Retrenchment.

By Senator Hartshorn, Senate File No. 214, a bill for an act to regulate the leasing of the lands belonging to the Iowa State Agricultural College and Farm.

Read a first and second time, ordered printed, and referred to the Committee on Agricultural College.

Also, Senate File No. 215, a bill for an act providing for the adjustment of differences between the State of Iowa and the counties thereof in certain cases on account of the school fund.

Read a first and second time, ordered printed, and referred to the Committee on Ways and Means.

By Senator Prizer, Senate File No. 216, a bill for an act to amend chapter 60 of the public laws of the Fifteenth General Assembly, relating to the organization and management of savings banks.

Read a first and second time and referred to the Committee on Banks.

RESOLUTIONS.

Senator Clark of Wayne offered the following resolution, which was referred to a committee of the whole.

*Resolved*, That all railroads in Iowa be, and are hereby requested to furnish free passes to wives of Senators, and the State to pay all necessary expenses for said wives while at the capitol so that legislation may not be unnecessarily detained by absence of Senators.

Senator Nichols of Benton presented a resolution as follows:

WHEREAS, Doubts have arisen as to the propriety of making the proposed amendment to the Constitution, known as the Prohibitory Amendment, for the reason that questions have arisen as to whether said proposed amendment to the Constitution would sufficiently protect the moral and material interests of the people of this State; and,

WHEREAS, We deem it advisable for the Senate to express an opinion upon the subject as to whether such amendment, if made, will

sufficiently protect the moral and material interests of the people of this State, and in order that the Senate may by such expression of opinion, so far as it is in its power to do so, assist in allaying any doubts which may have arisen; therefore,

*Be it resolved*, That the proposed amendment to the Constitution, which prohibits the manufacture of intoxicating liquors to be kept for sale, or sold, to be used as a beverage, within this State, but which allows the manufacture of intoxicating liquors for export purposes to be used as a beverage without this State, guards alike the moral and material interests of the people of this State, in that in its benign and beneficent operation it will protect the people of the State from all the evils of the liquor traffic while it reserves to them the profits of its manufacture for export purposes; and that this benign and beneficent policy is fully sustained by the Mosaic law as found in Deuteronomy, 14th chapter and 21st verse, as follows: "Ye shall not eat of anything that dieth of itself; thou shalt give it the stranger that is in thy gates, that he may eat it; or thou mayest sell it unto an alien."

Senator Greenlee moved a reference of the resolution to the Judiciary Committee.

Senator Marshall moved that the resolution lie on the table.

The question being on the motion moved by Senator Marshall, the yeas and nays were demanded.

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Gillett, Harmon, Harts-horn, Hutchison, Kamrar, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—30.

The nays were:

Senators Clark of Wayne, Garber, Graves, Greenlee, Hall, Hemen-way, Henderson, Hunt, Keller, Larrabee, Mitchell, Nichols of Benton, Nielander, Rothert, Russell of Greene, Shrader, and Smith—18.

Absent or not voting.

Senators Johnson and Hebard—2.

So the resolution was laid on the table.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 125, a bill for an act to repeal part of section 54, title 4, chapter 10 of the Code, and enact a substitute therefor, relating to the election of aldermen in cities of the first class.

House File No. 216, a bill for an act to repeal section 2, chapter 38, of the laws of the Eighteenth General Assembly, in relation to compensation of officers and employees of the General Assembly, and enact a substitute therefor.

E. C. HAYNES, *Clerk*.

Senator Hall moved to take from the table a resolution of February

11th, 1882, relative to the procuring the opinion of the Attorney-general on the proposition, "Does the Constitution require that a member of the legislature in voting for the proposed prohibitory amendment to the Constitution should agree to and approve the same, or does he vote upon the question of submission regardless of his own opinion?"

The question being, shall the resolution be taken from the table?

The yeas were:

Senators Baker, Bills, Clark of Wayne, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Henderson, Keller, Larrabee, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Rothert, Russell of Greene, Shrader, and Smith—20.

The nays were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Greenlee, Hemenway, Hunt, Hutchison, Kamrar, Logan, Marshall, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—28.

Absent or not voting:

Senators Hebard and Johnson—2.

So the motion did not prevail.

Senator Hall offered the following resolution:

*Resolved*, That it is the sense of the General Assembly that there ought to be no discussion or deliberation upon questions relating to constitutional amendments, but that this Senate should content itself with the deliberations of the last General Assembly on the subject.

The question being on the adoption of the resolution the same was withdrawn.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

Relating to purchasing lands and erecting additional buildings for the Asylum for Feeble-Minded Children, at Glenwood, Iowa.

A. W. RENSCHAW, *Second Assistant Clerk*.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 169, a bill for an act providing for the appointment of treasury inspectors and prescribing their duties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WM. LARRABEE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 31, a bill for an act to amend section 2082 of the Code, relating to the negotiability of notes and contracts,

beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass for the reason that the matter is covered more thoroughly in another bill.

WM. LARRABEE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 199, a bill for an act to prohibit any township officer from becoming surety on the official bond of another township officer, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WM. LARRABEE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 51, a bill for an act to repeal subdivision two, section 2, of chapter 184 of the laws of the Eighteenth General Assembly, and to provide a substitute therefor, in relation to compensation for collection of taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WM. LARRABEE, *Chairman*.

Ordered passed on file.

Senator Hemenway, from the Committee on State University, submitted the following report:

MR. PRESIDENT—Your Committee on State University, to whom was referred Senate File No. 161, a bill for an act for an appropriation in aid and support of the State University of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Appropriations.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate Files Nos. 10 and 14, and substitute for House File No. 19, bills for an act to amend chapter 143 of the acts of the Sixteenth General Assembly, entitled an act to provide for establishing superior courts in cities of a certain grade, additional to chapter 10, title 4 of the Code, of cities and towns, beg leave to report that they have had the same under consideration, and have adopted a substitute for said bills, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted and that it do pass, and that the substitute be printed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-

ferred Senate File No. 210, a bill for an act legalizing an ordinance passed by the city council of the city of Burlington, November 8, 1880, providing for the construction and maintenance of sewers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 122, a bill for an act to legalize the incorporation of the town of Spencer, Clay county, Iowa, and acts thereto, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 101, a bill for an act to legalize the incorporation of West Point, Lee county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 65, a bill for an act changing and regulating the civil practice in the Circuit Courts of the State, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be amended by adding after the word "Sunday" in the nineteenth line of section 3 the words "or any legal holiday" and by striking out the word "Monday" in the last line of section 3 and insert in lieu thereof the word "day," and that when so amended it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Garber, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 107, a bill for an act authorizing the location of a highway across lands belonging to the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. GARBER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 66, a bill for an act to amend section 936 of the Code of 1873, beg leave to report that they have had the same under

consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

M. GARBER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 86, a bill for an act to amend section 934 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. GARBER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 204, a bill for an act to repeal section 921 of the Code of 1873, and to enact a substitute therefor relating to the establishment of highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. GARBER, *Chairman*.

Ordered passed on file.

Senator Hartshorn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 11, a bill for an act requiring boards of directors to set out trees on school grounds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Strike out section 3 of the bill and insert in lieu thereof the following:

SECTION 3. That section 1745 of the Code be amended by adding an additional item at the end of said section as follows: 12. The number of trees set out in thrifty condition on each school-house grounds.

Also, add to the bill section 4, as follows:

SECTION 4. This act shall take effect and be in force from and after its publication in the "Iowa State Register" and "Iowa State Leader," newspapers published in Des Moines, Iowa.

And when so amended that it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Senator Russell, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 177, a bill for an act to repeal the second proviso of section 1289, and to provide a substitute therefor in regard to damage by fire, caused by the operation of railways, beg leave to report that they have had the same under consideration, and have adopted the substitute herewith appended, and have instructed me to report the same back to the Senate with the recommendation that the substitute do pass.

JOHN RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 181, a bill for an act to regulate parties loaning money in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JOHN RUSSELL, *Chairman*.

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 136, a bill for an act requiring notice to the governing body of cities or incorporated towns, for damages for injuries sustained by reason of defective or obstructed sidewalks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 59, a bill for an act authorizing cities acting under special charters to cause land in which there is stagnant water to be filled up or drained, and providing for the collection of such expense, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 26, a bill for an act providing for the election of assessor for State and county purposes, in cities organized and existing under special charters, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 205, a bill for an act to legalize the conveyance of certain land to the Logan Cemetery Association by the Blair Town Lot and Land Company, and to legalize the organization and acts of said Logan Cemetery Association, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.



Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 88, a bill for an act to regulate the sale of coal oil, and to repeal chapter 172 of the laws of the Seventeenth General Assembly, and section 3901 of the Code, beg leave to report that they had the same under consideration, have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 122, an act to legalize the incorporation, ordinances, and official proceedings of the town of Scranton, Greene county, Iowa.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Senator Hemenway had leave to call up Senate File No. 161, a bill for an act for an appropriation in aid and support of the State University of Iowa, and it was on motion referred to the Committee on Appropriations.

Sentor Rothert moved that Senate File No. 169, a bill for an act providing for the appointment of treasury inspectors and prescribing their duties, be taken from the file and referred to the Judiciary Committee, which motion prevailed.

#### COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the Governor at the hands of his private secretary, and ordered passed on file.

STATE OF IOWA,  
EXECUTIVE DEPARTMENT,  
DES MOINES, February 16, 1882. }

*To the Honorable Senate*—In compliance with the request of your honorable body, I submit herewith a statement of the condition of the actions commenced against ex Warden Craig and his sureties, so far as I am able to obtain data respecting the same. The files being incomplete, I addressed notes to the Attorney-general and also to Hon. Galusha Parsons, who is the special counsel employed, requesting full reports of the present condition of these cases. The Attorney-general has responded in a very satisfactory letter, a copy of which is hereto attached, I also submit a copy of the report made by the Auditor of State, showing the amounts paid from the State treasury. The last statement by Mr. Parsons of his disbursements, made to Governor Gear, is also herewith submitted.

BUREN R. SHERMAN.

OFFICE OF THE ATTORNEY-GENERAL, }  
DES MOINES, IOWA, February 13, 1882. }

SIR—I have received and considered yours of the 9th, asking me for a statement of the condition of the cases against ex Warden Craig and others.

There were three suits instituted against Craig and his bondsmen; one for each of his terms of office. The case pertaining to his first term of office is pending in the District Court of Pottawattamie county.

The case pertaining to the second term of office is pending in the Circuit Court of Lee county, and will probably be tried in March.

The case of the third or last term, was tried in the Circuit Court of Lee county, in March, 1881, and a judgment of \$8,000 and costs obtained against Craig. In this case the bondsmen have filed their separate answer and the case as to them had been transferred to the equity side of the docket.

In that branch of the case, the Circuit Court held that the bondsmen were not liable by reason of an alteration of the bond after the sureties had signed the same and prior to its acceptance.

From the judgment the State appealed to the Supreme Court. The cause was submitted at the late December term. Should the Supreme Court also hold that the sureties are released the judgment of \$8,000 and costs will be of but little if any value—but if the Supreme Court should hold that the bondsmen are holden then the judgment no doubt can be collected.

There was another case of the State against H. E. Hunt. Mr. Hunt is a merchant of Burlington, and the State claims that he and Warden Craig conspired to defraud the State, and did defraud the State to the amount of several thousand dollars. One trial was had last August before Judge Burton, of Keosauqua. The jury disagreed, and the case has been changed to the District Court of Monroe county, where it stands for trial in April next.

There was also another case, of the State against Morris, a clothier of Fort Madison, quite similar to the Hunt case. This was once tried, resulting in a disagreement of the jury. It was again tried, resulting in a verdict and judgment in favor of the State for something over \$7,000. Of this amount Mr. Parsons, of counsel for the State, has received \$4,096.81. He reports to me that the sheriff of Lee county has collected something like \$1,300 more, which he still has, claiming the larger part for fees. The balance of the judgment I regard as entirely worthless.

These suits were all brought nearly three years prior to the time I qualified as Attorney-general. I have have neither received nor paid out any money on account of these suits, or any of them. I have no personal knowledge bearing upon the amount of money paid out or received. I learn, however, from Mr. Galusha Parsons that he has received from the State and from the Morris judgment \$7,546; that he has paid out on account of costs and expenses of trial (not including his fees) \$4,664. These expenses are by reason of many continuances, changes of venue, and lengthy, protracted trials, of which I need not now be more explicit.

Respectfully submitted.

(Signed)

SMITH MCPHERSON.

His Excellency, the Governor:

## STATEMENT

*Of the warrants issued in payment of legal services, witness fees, sheriff fees, and expenses in case of the State of Iowa vs. S. H. Craig et al., showing date of warrant, to whom issued, and amount of such warrant.*

DATE OF WARRANT.	TO WHOM ISSUED.	AMOUNT OF WARRANT.
1879.		
January 8	Galusha Parsons.....	\$1,435.00
April 23	Galusha Parsons.....	300.00
May 28	Galusha Parsons.....	238.30
May 28	Galusha Parsons.....	400.00
1880.		
April 1	Galusha Parsons.....	200.00
May 3	Galusha Parsons.....	300.00
May 31	Galusha Parsons.....	300.00
June 14	E. W. McJunkin.....	90.00
June 17	Damon N. Sprague.....	300.00
August 20	Galusha Parsons.....	300.00
December 17	G. G. Rodman.....	80.00
1881.		
January 10	Galusha Parsons.....	300.00
March 18	John H. Gear.....	130.00
Total.....		\$4,373.30

I hereby certify the above to be a correct statement, as shown by the records of this office.

In witness whereof, I have hereunto set my hand and seal of office, this 13th day of February, 1882.

Signed,

W. V. LUCAS, Auditor of State.

## THE STATE OF IOWA TO GALUSHA PARSONS, DR.

*Since May 28, 1879.*

To moneys paid out in the case of the State vs. Seth H. Craig and others, since May 28, 1879, and not previously accounted for:

June 10 1879—Attending Circuit Court, Lee county..... \$ 34.00

This term of court extended from June 10th to July 15.

July 8, 1879—Going to and returning to Keokuk, and expenses there..... 35.00

November, 1879—Attending Circuit Court at Keokuk..... 30.00

Des Moines Circuit Court in State vs. Hunt, Greenbaum & Schroeder:

March Term, 1879..... 25.00

August Term, 1879..... 22.00

December Term, 1879..... 25.00

March Term, 1880.....

Upon two or three of these trips I also went to Fort Madison.

Paid C. B. B. Worthington..... 10.00

Paid L. A. Wilkinson..... 10.00

Telegraphing, expressage, and boxing books..... 7.90

Expenses going to Burlington..... 5.15

Sheriff to pay witnesses and subpoenas..... 5.00

Telegraphing Attorney-general.....	\$ .65
Telegraphing O. E. Newton.....	.25
Worthington's expenses at Ft. Madison and Newton's fees...	13.50
April 8—Paid Wilkinson.....	10.00
Paid S. L. Burton.....	30.00
Paid C. B. Worthington.....	21.85
Paid O. E. Newton.....	3.15
Paid H. E. Hunt.....	1.25
Paid sheriff.....	1.70
Bill at Gorman House, including self, Burton, Worthington, and Wilkinson. I agreed with all these parties to pay their bills at hotel.....	69.45
Paid Wilkinson as short-hand writer, six days, five dollars in addition, as per agreement.....	30.00
Returning and expressage.....	5.40
Paid clerk of court.....	74.00
June 21, '80—Attending Muscatine Circuit Court in State v. Hunt.....	30.00
August—Van Buren District Court, 1880, State v. Morris, and others, not less than.....	150.00
March—Circuit Court at Keokuk.....	25.00
June—Circuit Court at Keokuk.....	30.00
November—Circuit Court; I had a great number of witnesses at this term, and paid out over \$100 and expenses.....	125.00
January, 1881—Van Buren District Court; from January 10th to January 21st; trial begun January 12th; I paid out, including witnesses.....	304.12

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1,137.37

I was short over \$50.

March Term—Circuit Court at Keokuk, 1881, say (this should be nearly or quite \$1,400.).....

---

1,200.00

I am able at this time to give the following items:

S. L. Bestow.....	80.75
Winterbotham.....	25.00
Reporter.....	169.50
Hotel bill—myself and witnesses, whose bills I agreed to pay Sheriff.....	196.50
Rouke, deputy sheriff, to subpoenaing witnesses.....	65.00
Mr. Sprague.....	40.00
	255.00

I paid a large number of witnesses their fees, but I have no account of them, but of course they appear of record except such sums as I paid above regular fees. The clerk's fees were not paid at this term of court I had while at Keokuk.

1. Received from Governor.....\$ 130.00

2. Collected on Morris judgment.....4,096.81

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4,226.81

Upon my return home I had a draft of \$2,800, but less money than I had of my own when I left; all of which I had paid out on the necessary expenses of this trial. I left home Monday, August 22d, and returned the following Sunday. I have paid all the witnesses and other expenses. I have no items by me. It could not have been less, and I think it was more than.....

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250.00

June term of the Circuit Court at Keokuk, say (it was certainly more).....

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50.00

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\$3,464.07

Pressed as I was at all times when from home it was impossible for me to keep an account of every sum paid, and some of them I have been compelled to make from memory, but when I have done so I believe the amount given is less than the actual sum.

## CONTRA.

I have received from the State direct (I think \$130).....\$1,450.00  
 Upon Morris judgment..... 4,096.81

\$5,546.81

I am short in any way that I can make it more than \$500.

I kept an account of what I had and always came home out of pocket.

This is the very best statement that I can make at this time.

Signed

PARSONS.

Of this amount there was only \$300 paid me directly for fees, the remainder was for the necessary expenses of the litigation. I retain in my hands the balance collected on the Morris judgment, subject to final settlement for fees. I include all expenses since May 28, 1879, only. All moneys received prior to that time were previously accounted for.

Signed

GALUSHA PARSONS..

Sworn and subscribed before me, this 5th day of January, 1882.

Signed

FRANK H. PERRY,

[SEAL]

Notary Public, Polk Co.

Also, the following:

STATE OF IOWA, EXECUTIVE DEPARTMENT, {  
 DES MOINES, February 15, 1882. }

MR. PRESIDENT—I am instructed by the Governor to report to the honorable Senate that he has signed, approved, and deposited in the office of the Secretary of State, the following bills:

Senate File No. 47, a bill for an act to repeal section 2155 of the Code, relating to limited partnerships and enacting a substitute therefor.

Senate File No. 115, a bill for an act to legalize the incorporation of the town of Orford and the change of name to Montour.

WELKER GIVEN, *Private Secretary.*

The hour of 12 o'clock M. having arrived Senator Dashiell moved that the time of adjournment be extended fifteen minutes.

The motion prevailed.

## HOUSE MESSAGES.

House joint resolution relative to amending the Constitution so as to prohibit the manufacture and sale of intoxicating liquors as a beverage within this State, was taken up, and on motion of Senator Dashiell was referred to the Committee on Constitutional Amendments.

Senator Hall moved to take from the file the report of the Committee on Constitutional Amendments, and report the same to the Judiciary Committee with instruction to report as to the meaning of the Constitutional amendment as to prohibiting the manufacture of intoxicating liquors, including beer, ale, and wine for all purposes, or only prohibiting the manufacture and sale as a beverage.

Also, to report the meaning of the Constitution as to the duty of members in agreeing to an amendment offered by a preceding legislature.

The motion was lost.

SENATE CHAMBER,  
DES MOINES, IOWA, February 18, 1882. }

Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. J. Talbott.

The journal of yesterday was read and approved.

#### PETITIONS AND MEMORIALS.

Senator Larrabee presented a petition signed by fifty citizens of Fayette county, asking for the enactment of such a law as will compel each township to support its own poor, unless taken to the poor-house.

Also, a better system for working highways.

Also, enact a law as that each township shall prosecute their criminals until such times as said prosecutions shall reach the District Court.

Referred to the Committee on Ways and Means.

Senator Wilson presented a petition from citizens of Clarke county, asking for the enactment of a law to supply public officers with an annotated statute, with notes, references, and digest of the decisions of the Supreme Court.

Referred to the Committee on Judiciary.

#### INTRODUCTION OF BILLS.

By Senator Kamrar, Senate File No. 217, a bill for an act relating to the acknowledgment and recording of deeds in certain cases and rendering valid the acknowledgement of deeds and instruments in writing.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Poyneer, Senate File No. 218, a bill for an act to amend section 3543 of the Code.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Kamrar, Senate File No. 219, a bill for an act to facilitate the collection of claims, and to extend the jurisdiction of sheriffs in certain cases.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Rothert, Senate File No. 220, a bill for an act giving to certain cities all bridge taxes levied by county authority and collected on property within the limits of such cities, and providing for the expenditure of the same.

Read a first and second time and referred to the Committee on Municipal Corporations.

By Senator Hartshorn, Senate File No. 221, a bill for an act to enforce the collection of taxes provided for in section 2, chapter 71, laws of 1874, on released agricultural college lands.

Read a first and second time, ordered printed, and referred to the Committee on Judiciary.

## RESOLUTIONS.

Senator Harmon offered the following joint resolution agreeing to an amendment to the Constitution of the State of Iowa, prohibiting the manufacture and sale of intoxicating liquors as a beverage within the State:

WHEREAS, The Eighteenth General Assembly of the State of Iowa did, in due form, by a majority of the members elected to each of the two houses, agree to a proposed amendment to the Constitution of this State to add as section 26, to article 1 of said Constitution, the following:

SEC. 26. "No person shall manufacture for sale or sell or keep for sale as a beverage any intoxicating liquors whatever, including ale, wine, and beer. The General Assembly shall by law prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provisions hereof."

And the said proposed amendment was entered on the journals of said houses and was referred to the legislature to be chosen at the next general election, and the same having been published as provided by law; therefore,

*Be it resolved by the General Assembly of the State of Iowa, That the following amendment to the Constitution of the State of Iowa be and the same is hereby agreed to: Add as section 26, to article 1, of said Constitution, the following:*

SEC. 26. No person shall manufacture for sale or sell or keep for sale as a beverage any intoxicating liquors whatever, including ale, wine, and beer.

The General Assembly shall by law prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provisions hereof.

Read a first and second time and referred to the Committee on Constitutional Amendments.

## REPORTS OF COMMITTEES.

Senator Rothert, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 155, a bill for an act to repeal section 1268 of chapter 4, title 10 of the Code of 1873, in relation to cattle-guards and railway crossings, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 167, a bill for an act to repeal section 268 of the Code, and to enact a substitute in lieu thereof, relating to the construction of crossings over railroad tracks, beg leave to report that they have had the same under consideration, and have instructed me to report the

same back to the Senate with the recommendation that it be indefinitely postponed.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 55, a bill for an act regulating the crossing of highways by railway companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "the supervisors of any county" in the first line of section 1, and by striking out the words "public highway" and also, the words "or sewer" in the third line of said section; also, by striking out the words "the supervisors and" in the second line of section 2; also by striking out section 3, and when so amended it do pass.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Senator Hemenway, from the Committee on State University, submitted the following report:

MR. PRESIDENT—Your Committee on State University, to whom was referred Senate File No. 151, a bill for an act to legalize the sale of certain lands by the State University, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the substitute bill accompanying this report be adopted, and when so adopted the substitute do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Senator Hebard, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 173, a bill for an act making an appropriation to reimburse Geo. W. Bemis for the loss sustained when Treasurer of State; also that part of the Governor's message on the same subject, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by an additional section, providing for the payment of interest at six per cent from November 15, 1880, to February 15, 1882, being fifteen months, and amounting to \$276.75; also publication clause; and when so amended that the bill do pass.

ALFRED HEBARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 172, a bill for an act to pay creditors of the Iowa Penitentiary at Ft. Madison, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding to the fourth line of section 3, "and allow or disallow said claim in whole or in part, as to them may seem just and right" and when so amended it do pass.

A. HEBARD, *Chairman*.

Ordered passed on file.



Also:

MR. PRESIDENT—The Committee on Claims, to whom was referred the petition of Mary E. Bryan, asking payment of a balance due her husband of \$1,457.05, and interest from 1858, on account of work done on the State capitol to fit it for occupation, find that a bill was presented for said work, amounting to \$6,236.38. They find also in the appropriation bill of 1858 that the amount of the bill was paid, less \$1,433, which was deducted as an overcharge. This deduction as an overcharge is the ground of the present claim. The officers of the State evidently paid what they conceived to be a fair price for the work at the time, and your committee are not disposed to revise their action, or encourage the presentation of claims that have slept quietly for over twenty years without an effort for collection. They therefore return the petition to the Senate and asked to be relieved of any further consideration of the subject.

ALFRED HEBARD, *Chairman.*

Senator Hemenway, from the Committee on Constitutional Amendments, had leave to withdraw a report made by said committee on the proposed prohibitory amendment to the Constitution, of the date of February 9, 1882.

#### BILLS ON SECOND READING.

Senator Graves had leave to call up for consideration Senate File No. 151, a bill for an act to legalize the sale of certain lands by the State University, with report of committee furnishing a substitute and recommending that the substitute do pass.

Senator Graves moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed.

The bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Clark of Page, Cotton, Dashiell, Garber, Graves, Greenlee, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Kamrar, Keller, Larrabee, Logan, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, and Wilson—36.

The nays were—None.

Absent or not voting:

Senators Baker, Brown of Van Buren, Clark of Wayne, Gillett, Hall, Hutchison, Johnson, Marshall, Nielander, Parker, Russell of Greene, Shrader, Wall, and Wright—14.

So the bill passed, and the title was agreed to.

Leave of absence, on account of sickness, was asked for Senator Johnson.

Leave was granted.

Senators Brown of Van Buren, Clark of Wayne, and Hutchison were granted leave of absence for to-day.

Senator Logan asked leave to take up Senate File No. 205, a bill for

an act relative to legalizing the conveyance of certain lands to the Logan Cemetery Association, with report of committee recommending it do pass.

Leave was granted.

Senator Logan moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Clark of Page, Cotton, Dashiell, Garber, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Kamrar, Keller, Larrabee, Logan, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Prizer, Robinson, Rotherth, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, and Wilson—36.

The nays were—None.

Absent or not voting:

Senators Baker, Brown of Van Buren, Clark of Wayne, Greenlee, Gillett, Hutchison, Johnson, Marshall, Nielander, Parker, Russell of Greene, Shrader, Wall, and Wright—14.

So the bill passed, and the title was agreed to.

Senator Harmon moved that Senate File No. 107, a bill for an act authorizing the location of a highway across land belonging to the State of Iowa, be taken up, which motion prevailed.

Senator Harmon moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Cotton, Garber, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Keller, Larrabee, Logan, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Prizer, Robinson, Rotherth, Russell of Jones, Smith, Sudlow, Tirrill, Whaley and Wilson—36.

The nays were—None.

Absent or not voting:

Senators Brown of Van Buren, Clark of Wayne, Dashiell, Gillett, Hutchison, Johnson, Kamrar, Marshall, Nielander, Parker, Russell of Greene, Shrader, Wall, and Wright—14.

So the bill passed, and the title was agreed to.

#### HOUSE MESSAGES.

On motion of Senator Hunt, House messages were taken up.

House File No. 125, being a bill for an act to repeal part of section 521, chapter 10, title 4 of the Code, and enact a substitute therefor, relating to the election of aldermen in cities of the first class, was taken up.

Read a first and second time and referred to the Committee on Municipal Corporations.

House File No. 216, a bill for an act to repeal section 2 of chapter

38 of the laws of the Eighteenth General Assembly, in relation to compensation of officers and employes of the General Assembly, and to enact a substitute therefor, was taken up, read a first and second time and referred to the Committee on Compensation of Public Officers.

House concurrent resolution relative to purchasing lands for the use of the Asylum for Feeble-Minded Children at Glenwood, was taken up, read a first and second time, and referred to the Committee on Asylum for Feeble Minded Children.

Senator Clark of Page had leave to call up Senate File No. 71, a bill for an act to amend section 1776 of the Code, in relation to compensation of county superintendents of schools, with report of committee furnishing a substitute, and recommending it do pass, was taken up and considered.

Senator Nichols of Guthrie moved to strike from section 1 of the substitute the word "four" and insert "five."

The motion was lost.

Senator Larrabee moved an amendment to section 1 by adding the following: "And it shall be the duty of the county superintendent to make an examination and settlement of accounts with each school district treasurer in his county, at least once in each year."

The amendment was not adopted.

Senator Russell of Jones offered the following amendment:

SEC. 2. The words "he shall visit each school in his county at least once in each term, and shall spend at least one-half day in each visit," at the end of section 1774 of the Code, are hereby stricken out.

Senator Hartshorn moved to extend the time of adjournment until the pending bill be disposed of.

Senator Hall moved to amend by adding, that when the Senate adjourn it be until 10 o'clock of Tuesday next.

Senator Nichols of Guthrie moved to amend the amendment by inserting "two" for "ten."

The motion was lost.

The amendment moved by Senator Hall was lost.

The question recurring on the motion to extend the time of adjournment, the same was agreed to.

On the question pending, being the adoption of the amendment offered by Senator Russell of Jones, the yeas and nays were demanded, and

The yeas were:

Senators Abraham, Bills, Brown of Keokuk, Cotton, Greenlee, Kamm, Larrabee, Logan, Nichols of Muscatine, Parker, Prizer, Russell of Jones, and Wilson—13.

The nays were:

Senators Baker, Boling, Clark of Page, Dashiell, Garber, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Keller, Mitchell, Nichols of Benton, Nichols of Guthrie, Patrick, Poyneer, Robinson, Rothert, Smith, Sudlow, Tirrill, and Whaley—25.

Absent or not voting.

Senators Arnold, Brown of Van Buren, Clark of Wayne, Gillett, Hutchison, Johnson, Marshall, Nielander, Russell of Greene, Shrader, Wall, and Wright—13.

So the amendment was not adopted.

Senator Greenlee offered an amendment by adding to the substitute the following:

SECTION 2. That section 1774 be amended by striking out of said section the words "he shall visit each school in his county at least once in each term, and shall spend at least one-half day in each visit" and by inserting in lieu thereof the following: "he may at his discretion visit the different schools in his county, and shall, at the request of a majority of the directors of a district visit the school in said district at least once during each term."

The amendment was adopted.

Senator Brown of Keokuk offered an amendment by adding to section 1 of the substitute the following: and by striking out the words "and also the necessary stationery and postage for the use of his office."

The motion was lost.

The substitute as amended was adopted.

The question being on the engrossment of the bill, Senator Clark of Page moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion was agreed to, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Baker, Bills, Brown of Keokuk, Clark of Page, Cotton, Dashiell, Garber, Graves, Harmon; Hartshorn, Hebard, Hemenway, Henderson, Hunt, Keller, Larrabee, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Smith, Sudlow, Tirrill, Whaley, and Wilson—30.

The nays were:

Senators Abraham, Boling, Greenlee, Kamrar, Logan, Nichols of Benton, and Russell of Jones—7.

Absent or not voting:

Senators Arnold, Brown of Van Buren, Clark of Wayne, Gillett, Hall, Hutchison, Johnson, Marshall, Nielander, Russell of Greene, Shrader, Wall, and Wright—13.

On motion of Senator Hartshorn the title was amended so as to read: "a bill for an act to amend sections 1774 and 1776 of the Code of 1873, in relation to compensation and duties of county superintendents of schools"; and as thus amended the title was agreed to.

At 12:15 o'clock the Senate adjourned until Monday at 2 o'clock.

SENATE CHAMBER. }  
DES MOINES, IOWA, February 20, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. A. G. Wright.

The journal of Saturday was read and approved.

Leave of absence for to-day was asked for Senators Nichols of Benton, Hall and Parker.

Leave was granted.

#### PETITIONS AND MEMORIALS.

By Senator Russell of Jones, a petition from citizens of Victory school district in Jones county, asking for a change in the school law. Read and referred to the Committee on Schools.

By Senator Robinson, a petition from the county superintendents of schools in Plymouth, O'Brien, Sioux, Clay, Osceola, and Lyon counties, in relation to text-books.

Read and referred to the Committee on Schools.

By Senator Wright, a resolution from citizens of Macedonia and Oakland, Pottawattamie county, against the bill providing for holding courts at Avoca, in said county.

Read and referred to the Judiciary Committee.

By Senator Keller, a petition from citizens of Ringgold county, asking legislation in the enactment of a law to prevent public officers receiving free passes from railroad companies.

Read and referred to the Committee on Railways.

#### INTRODUCTION OF BILLS.

By Senator Larrabee, Senate File No. 222, a bill for an act to provide for redemption of property under chattel mortgage by a junior mortgagee or a judgment creditor.

Read a first and second time, ordered printed, and referred to the Committee on Judiciary.

Also, Senate File No. 223, a bill for an act to require husband and wife to join in a chattel mortgage, to make it valid upon property exempt from general execution.

Read a first and second time, ordered printed, and referred to the Committee on Ways and Means.

Also, Senate File No. 224, a bill for an act to provide for a minimum tax to be collected by municipal corporations, of persons engaged in the sale of wine, beer, or alcoholic beverages.

Read a first and second time, ordered printed, and referred to the Committee on Suppression of Intemperance.

By Senator Whaley, Senate File No. 225, a bill for an act to repeal section 187 of the Code, and enact a substitute in lieu thereof, in relation to poll tax.

Read a first and second time, ordered printed, and referred to the Committee on Municipal Corporations.

By Senator Logan, Senate File No. 226, a bill for an act to repeal sections 2 and 8, of chapter 77, acts of the Seventeenth General Assembly, relating to the appointment of Railroad Commissioners.

Read a first and second time, ordered printed, and referred to the Committee on Railways.

By Senator Russell of Greene, Senate File No. 227, a bill for an act to amend section 1753 of the Code of 1873, relating to the duties of school directors.

Read a first and second time and referred to the Committee on Schools.

By Senator Graves, Senate File No. 228, a bill for an act entitled an act to repeal sections 1324, 1325, 1326, 1327, 1328, and 1329 of the Code of Iowa of 1873, and to re-enact the same with amendments.

Read a first and second time, ordered printed, and referred to the Committee on Ways and Means.

By Senator Hutchison, Senate File No. 229, a bill for an act making additional requirements of coroners before issuing warrants to hold inquests.

Read a first and second time, ordered printed, and referred to the Committee on Judiciary.

By Senator Robinson, Senate File No. 230, a bill for an act to legalize the formation of limited partnerships.

Read a first and second time and referred to the Committee on Judiciary.

Also, Senate File No. 231, a bill for an act to legalize the sale of certain school lands in Buena Vista county.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Smith, Senate File No. 232, a bill for an act regulating the grades, widths, and alignments of streets and alleys in cities of the first class, incorporated under the general incorporation law.

Read a first and second time and referred to the Committee on Municipal Corporations.

By Senator Kamrar, Senate File No. 233, a bill for an act regulating the herding of stock and providing for damage done thereby.

Read a first and second time, ordered printed, and referred to the Judiciary Committee.

By Senator Arnold, Senate File No. 234, a bill for an act to amend section 4611 of the Code of 1873, in relation to imprisonment for fines.

Read a first and second time and referred to the Committee on Suppression of Intemperance.

#### REPORTS OF COMMITTEES.

Senator Robinson, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 98, a bill for an act to repeal chapter 115 of the laws of the Eighteenth General Assembly, and to enact a substitute therefor in relation to the compensation of sheriffs, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with

the recommendation that the accompanying substitute be adopted and do pass.

G. S. ROBINSON, *Chairman*.

Ordered printed and passed on file.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 220, a bill for an act to legalize the incorporation of the town of Dayton and its ordinances and the acts of its officers thereunder, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 79, a bill for an act for the prevention of glanders, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 63, a bill for an act to amend section 3072, chapter 2, title 18 of the Code, relating to exemptions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding thereto after the word "thereon" in last line of section 1, the words "unless failing or refusing so to do when required to make such designation or selection by the officer about to levy," and when so amended it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 178, a bill for an act amending section 2340 of the Code of 1873, in relation to proving of wills, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

#### BILLS ON SECOND READING.

Senator Hartshorn had leave to call up for consideration House File No. 122, being a bill for an act to legalize the incorporation of the town of Spencer, Clay county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town, together with the report of committee recommending that it do pass.

Senator Hartshorn moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Poyneer, Robinson, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, and Wright—35.

The nays were—None.

Absent or not voting:

Senators Clark of Wayne, Cotton, Hall, Hebard, Johnson, Nichols of Benton, Nichols of Guthrie, Neilander, Parker, Patrick, Prizer, Rothert, Shrader, Wall, and Wilson—15.

So the bill passed, and the title was agreed to.

Leave of absence for to-day was asked for Senators Cotton, Patrick, and Prizer.

Leave was granted.

Senator Garber had leave to call up Senate File No. 166, a bill for an act to legalize the independent school district of Volga City, Clayton county, Iowa, together with report of the committee recommending it do pass.

Senator Garber moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Poyneer, Robinson, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, and Wright—35.

The nays were—None.

Absent or not voting:

Senators Clark of Wayne, Cotton, Hall, Hebard, Johnson, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Prizer, Rothert, Shrader, Wall, and Wilson—15.

So the bill passed, and the title was agreed to.

Senate File No. 113, a bill for an act to increase the number of circuit judges in all the circuits of this State containing cities having a population in excess of 20,000, and to provide for the appointment and election of said judges, with report of committee recommending amendment inserting the word "two" after the word "twenty" in the fifth line, and the words "and three hundred" after the word "thousand" in the sixth line of the title; and also inserting the word "two" after the word "twenty" in the eighth line of section 1, and the words "and three hundred" after the word "thousand" in the eighth line of section 1, and the words "United States" before the word "census" in the ninth line of section 1, and that when so amended that it do pass.

The report of the committee was adopted.



Senator Smith moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Poyneer, Robinson, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—36.

The nays were—None.

Absent or not voting:

Senator Clark of Wayne, Cotton, Hall, Hebard, Johnson, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Prizer, Rothert, Shrader, and Wall—14.

So the bill passed, and the title was agreed to.

House File No. 11, on motion was taken up, a bill for an act requiring boards of directors to set out trees on school grounds, with report of committee recommending amendment by striking out section 3 of the bill, and inserting in lieu thereof the following:

SEC. 3. That section 1745 of the Code be amended by adding an additional item at the end of said section, as follows: "12 the number of trees set out and in thrifty condition on each school-house grounds"; also, add to the bill section 4, as follows:

SEC. 4. This act being deemed of importance, shall take effect and be in force from and after its publication in the Iowa State Register and Iowa State Leader, newspapers published in Des Moines, Iowa.

And when so amended that it do pass.

The report of the committee was adopted.

Senator Hartshorn moved to strike from the second line of section 1, the word "preserved" and insert in lieu thereof the words "properly protected."

The motion to amend prevailed.

Senator Hartshorn moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Garber, Gillett, Graves, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Robinson, Russell of Greene, Smith, Tirrill, Whaley, and Wright—26.

The nays were:

Senators Abraham, Baker, Clark of Page, Dashiell, Greenlee, Kamrar, Poyneer, Russell of Jones, Sudlow, and Wilson—10.

Absent or not voting:

Senators Clark of Wayne, Cotton, Hall, Hebard, Johnson, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Prizer, Rothert, Shrader, Wall, and Wilson—15.

So the bill passed, and the title was agreed to.

Senate File No. 131, a bill for an act to regulate admission to practice as attorneys and counsellors in the courts of Iowa, with report of committee recommending it do pass, was taken up and considered.

On motion of Senator Robinson, the bill was ordered passed on file.

Senate File No. 80, a bill for an act to establish a Dental Department in the Iowa State University, returned to the Senate without recommendation, was taken up for consideration.

Senator Gillett moved that the bill be indefinitely postponed.

Senator Russell of Greene moved that the bill be made a special order for Monday next at thirty minutes past 2 o'clock, which motion prevailed and the bill was ordered passed on file.

Senate File No. 124, a bill for an act to repeal section 3755 of the Code, and enact a substitute therefor in relation to the salary of the Governor and the Private Secretary of the Governor, with report of the committee returning the bill without recommendation, was taken up and on motion was indefinitely postponed.

Senate joint resolution in relation to barbed wire, driven-wells, and amending patent laws, with report of committee furnishing a substitute and recommending it do pass, was taken up and the substitute was adopted.

Senator Wilson moved that the rule be suspended, and the bill be considered engrossed, and read a third time now; which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchinson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Poyneer, Robinson, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—36.

The nays were—None.

Absent or not voting:

Senators Clark of Wayne, Cotton, Hall, Hebard, Johnson, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Prizer, Rother, Shrader, and Wall—14.

So the bill passed, and the title was agreed to.

Senate File No. 105, a bill for an act to regulate the leasing of the land belonging to the Iowa State Agricultural College and to repeal chapter 71 of the public acts of 1874, with report of committee that the bill be indefinitely postponed, was taken up, and the report of the committee was adopted.

Senate File No. 103, a bill for an act to amend section 2114, chapter 6, title 14 of the Code of 1873, with report of committee recommending indefinite postponement, was taken up, and on motion of Senator Greenlee, made a special order for Thursday, February 23, at 2:30 o'clock.

Senate joint resolution relative to publishing a new edition of the Constitution of 1857, and other matters, with report of the committee furnishing a substitute, but without further recommendation was taken up, considered, and on motion of Senator Brown of Van Buren, ordered passed on file.

Senate File No. 156, introduced by the Judiciary Committee, a bill for an act to amend section 3072, chapter 2, title 18 of the Code of 1873, with report of committee recommending amendment by adding to the title the words "in relation to exemptions from execution," and when so amended that it do pass, was taken up and considered.

The report of the committee was adopted, and the bill was ordered engrossed.

Senate File No. 28, a bill for an act for the registry of electors and to prevent fraudulent voting, with report of committee recommending that the bill be indefinitely postponed, was taken up, and the report was concurred in.

Senate joint resolution and memorial, relating to a faithful observance of treaties with Indian tribes, and affording them schools and giving them title to lands in severalty, was taken up and considered.

The resolution was indefinitely postponed.

Senate File No. 30, a bill for an act to further diminish liability to railroad accidents and to punish interference with and injury to railroad property, with report of the committee recommending that it be adopted and do pass, was taken up for consideration.

The substitute was adopted.

Senator Larrabee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Poyneer, Robinson, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—35.

The nays were—None.

Absent or not voting:

Senators Boling, Clark of Wayne, Cotton, Hall, Hebard, Johnson, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Prizer, Rothert, Shrader, and Wall—15.

So the bill passed, and the title was agreed to.

Substitute for Senate Files Nos. 4, 95, and 111, bills for an act relating to the duties of the State Board of Equalization, with report of committee recommending that the substitute be adopted, and do pass, was taken up for consideration.

Senator Larrabee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Poyneer, Robinson, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—34.

The nays were—None.

Absent or not voting:

Senators Baker, Clark of Wayne, Cotton, Hall, Hebard, Johnson, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Prizer, Rothert, Russell of Greene, Shrader, and Wall—16.

So the bill passed, and the title was agreed to.

House File No. 220, a bill for an act to legalize the incorporation of the town of Dayton, in Webster county, Iowa, and its ordinances and the acts of its officers thereunder, with report of committee recommending that it do pass, was taken up for consideration.

Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartsborn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Poyneer, Robinson, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—36.

The nays were—None.

Absent or not voting:

Senators Clark of Wayne, Cotton, Hall, Hebard, Johnson, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Prizer, Rothert, Shrader, and Wall—14.

So the bill passed, and the title was agreed to.

Senate File No. 74, a bill for an act to amend sections 857, 865, and 866 of the Code, and provide substitutes therefor, allowing semi-annual payment of taxes; also to amend section 871 of the Code, changing time of taxsale, with report of committee recommending it do not pass, together with report of minority recommending that the bill do pass, was taken up and considered.

On motion of Senator Nichols of Muscatine the bill was made a special order for next Wednesday, at 10 o'clock.

Senator Wright moved that the Senate do now adjourn.

The motion was not agreed to.

Senate File No. 97, a bill for an act establishing a geological survey of Iowa, and defining the purposes and work thereof, with report of committee recommending that it do pass, was taken up and on motion of Senator Larrabee was ordered passed on file, to be taken up Tuesday morning.

Senate File No. 162, a bill for an act to amend paragraph four of section 2529, of chapter 2, title 17 of the Code of 1873, relating to limitation of actions, with report of committee recommending indefinite postponement, was taken up and on motion indefinitely postponed.

Senator Clark moved the Senate do now adjourn, which motion was lost.

Senate File No. 185, by the Senate Judiciary Committee, a bill for an act to repeal section 3774 of the Code of 1873, and provide a substitute therefor, and to fix the salaries of the judges of the Circuit and District Court, was taken from the file and was ordered engrossed.

Senate File No. 133, a bill for an act exempting sewing machines from execution and attachment, with report of committee recommending that it do pass, was taken up and considered.

Senator Wright moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kainrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Poyneer, Robinson, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—36.

The nays were—None.

Absent or not voting.

Senators Clark of Wayne, Cotton, Hall, Hebard, Johnson, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Prizer, Rother, Shrader, and Wall—14.

So the bill passed, and the title was agreed to.

Senator Sudlow moved that the Senate do now adjourn, and at four o'clock and forty-five minutes the Senate adjourned.

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SENATE CHAMBER.  
DES MOINES, IOWA, February 21, 1882. }

The Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. A. L. Frisbie.

The journal of yesterday was read and approved.

#### PETITIONS AND MEMORIALS.

Senator Dashiell presented a petition from citizens of Black Hawk county, asking for the enactment of a law making the sale or giving intoxicating liquors—including ale, wine, and beer—to a minor or to a person in the habit of becoming intoxicated a criminal offense, punishable by fine and imprisonment.

Referred to the Committee on Suppression of Intemperance.

Senator Clark of Wayne presented a petition asking that section 463, of chapter 10, title 4 of the Code be amended by inserting after the words "eating-house," in line seven of section 463, "to regulate, tax, or prohibit drug stores which retail intoxicating liquors.

Referred to the Committee on Suppression of Intemperance.

## INTRODUCTION OF BILLS.

By Senator Hebard, Senate File No. 235, a bill for an act to establish and maintain a school at Red Oak, in Montgomery county, for the instruction and training of teachers of common schools.

Read a first and second time and referred to the Committee on Normal Schools.

By Senator Bills, Senate File No. 236, a bill for an act to repeal sections 835 and 836 of the Code, and to enact substitutes therefor, in relation to the equalization of real estate valuation, and the manner of levying the State tax by the State Board of Equalization.

Read a first and second time, ordered printed, and referred to the Committee on Ways and Means.

By Senator Dashiell, Senate File No. 237, a bill for an act to amend section 1539 of the Code, providing a penalty for selling or giving intoxicating liquors to minors or intoxicated persons.

Read a first and second time and referred to the Committee on Suppression of Intemperance.

By Senator Wright, Senate File No. 238, a bill for an act additional and amendatory to section 797, chapter 1, title 6 of the Code, relating to exemption.

Read a first and second time and referred to the Judiciary Committee.

## RESOLUTIONS.

Senator Russell of Greene offered the following resolution, which was adopted:

*Resolved*, That, until otherwise ordered, the Senate will hold one session each day, except Sundays, commencing at 9½ A. M. and adjourning at 12½ P. M.

Senator Clark of Page offered the following joint resolution:

WHEREAS, Clarinda, Iowa, is now by far the most prosperous and flourishing city in this great State, and is located in the richest valley on earth; and

WHEREAS, The people of Clarinda are by far the most enterprising and intelligent of any on the continent, and have more moral, religious, and educational stamina than any people on earth, or anywhere else; and

WHEREAS, She would be better able to appreciate and sustain an educational institution than any other city on the Slope; and

WHEREAS, She is the county seat of the Egypt of Iowa, having now in possession and prospective more corn, cattle, hogs, churches, schools, happy homes, and genuine Republicans than any other portion of Iowa; and

WHEREAS, She has never had any gifts from the State for her fidelity to the great Republican party, and through it to the world; therefore,

*Be it resolved by the Senate and House of Representatives*, That a normal school be and is hereby established at Clarinda, and that no other city need apply.

Referred to the Committee on Judiciary.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 68, a bill for an act to pay T. Whiting for lease of property to the Girls' Department of Reform School.

House File No. 186, a bill for an act to pay S. C. Crawford for services and expenses in recruiting one company of soldiers in the months of October and November, A. D. 1861.

Also, that the House has concurred in Senate joint resolution, asking Congress to authorize the construction of bridges over the Missouri River above Omaha.

E. C. HAYNES, *Chief Clerk.*

Also:

MR. PRESIDENT—I herewith present for your signature the following bills and joint resolution, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Substitute for Senate File No. 119, a bill for an act to authorize cities of the first and second class and incorporated towns to change their corporate names and to prescribe the manner in which such change may be made.

House File No. 6, a bill for an act to repeal chapter 123, acts of the Eighteenth General Assembly relative to fish-ways.

Joint resolution and memorial in relation to the Hennepin Canal.

E. C. HAYNES, *Chief Clerk.*

## REPORTS OF COMMITTEES.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 179, a bill for an act to legalize the incorporation of the town of Braddyville and the corporate acts thereof, and the acts of its officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted in lieu thereof and do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 218, a bill for an act to amend section 3543 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the title be amended by adding thereto the words "in relation to judgments by defaults in courts of justices of the peace," and that when so amended the bill do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 217, a bill for an act relating to the taking of acknowledgments and recording of deeds in certain cases, and rendering valid the acknowledgment of deeds and instruments in writing, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that another bill covering same subject-matter has been reported on by this committee.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 4, a bill for an act requiring the judges of the Supreme Court to prepare the head-notes of the opinions filed, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 69, a bill for an act enabling townships, incorporated towns, and cities to aid in building county bridges in certain cases, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting after the word "bridges," in the fourth line of section 1, the words "when the estimated cost of the same is not less than \$10,000, as fixed by the board of supervisors"; also by striking out the word "freeholders," in fourth line of section 2, and inserting in lieu thereof the word "property"; also by adding to section 3 the following words: "nor shall it exceed one-half the estimated cost of the bridge sought to be aided, as fixed by the board of supervisors" and that when so amended it do pass.

Ordered printed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 197, a bill for an act to amend section 215 of the Code of Iowa, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that the title thereto be amended by adding thereto the words "in relation to attorney's liens"; and when so amended it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 12, a bill for an act to amend section 7, chapter 100,



laws of the Sixteenth General Assembly, in relation to mechanic's liens, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 64, a bill for an act to amend sections 3055 and 3056 of the Code of 1873, and to provide for the indemnity of sheriffs or officers in the service of writs of attachment, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted in lieu thereof, and that when so amended it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Senator Wilson, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred a memorial and joint resolution in relation to the repeal of the pension arrears act, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. M. WILSON, *Chairman.*

Ordered passed on file.

Senator Russell of Jones, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 77, a bill for an act requiring railroad corporations to fence their roads in improved lands, beg leave to report that they have had the same under consideration, and have adopted the substitute herewith appended, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted and passed by the Senate.

JOHN RUSSELL, *Chairman.*

Ordered passed on file.

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 6, a bill for an act to establish the Iowa State Department of Agriculture and Industrial Arts.

Also, Senate File No. 18, a bill for an act to establish a Department of Industry and providing for the election of a secretary therefor, and defining his duties, beg leave to report that they have had the same under consideration in connection, and have instructed me to report that they have adopted the substitute herewith appended, a bill for an act to establish the Iowa State Department of Industry, and recommend that it do pass.

JOHN RUSSELL, *Chairman.*

Ordered passed on file.

Senator Brown of Keokuk, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully

report that they have examined Senate File No. 156, a bill for an act to amend section 3072, chapter 2, title 18 of the Code of 1873, in relation to exemption from execution; also, Senate File No. 185, a bill for an act to repeal section 3774 of the Code of 1873, and to provide a substitute therefor, and to fix the salaries of the judges of the Circuit and District Courts, and find the same correctly engrossed:

C. M. BROWN, *Chairman*.

Senator Graves, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 175, a bill for an act amending section 1753 of the Code, in relation to the insurance of school-houses, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted that it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House substitute for Senate File No. 119, an act authorizing cities of the first and second class to change their names and prescribing the manner thereof.

House File No. 6, an act to repeal chapter 123, of the acts of the Eighteenth General Assembly, relating to fish-ways.

House joint resolution in relation to the Hennepin Canal.

Also, Senate File No. 132, an act to legalize the incorporation, ordinances, and official proceedings of the town of Soranton, Greene county, Iowa.

And find the same correctly enrolled.

Alos:

MR. PRESIDENT—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval Senate File No. 132, an act to legalize the incorporation, ordinances, and official proceedings of the town of Soranton, Greene county, Iowa.

T. E. CLARK, *Chairman*.

#### BILLS ON SECOND READING.

On motion of Senator Hebard, Senate File No 97 was taken up and considered by sections, being a bill for an act establishing a geographical survey of Iowa, and defining the purpose and work thereof.

The committee recommends that the bill do pass.

Senator Arnold offered an amendment to section 1, by adding "the office of the survey shall be located at the State capital in rooms provided by the State; and a full suite of all fossils, minerals, and other materials collected by the survey shall be suitably arranged in such rooms and shall be there kept accessible to the people of the State.

The amendment was adopted.

Senator Arnold moved as an amendment to insert after the word "State" in line five of section 3 the following:

"And he shall, from time to time, furnish to the editors of local newspapers for publication popular articles on the geology of the localities in which he may be engaged. In the preparation of these articles he shall give prominence to such of his discoveries as appear to be of immediate economical importance to the citizens of the State."

The motion prevailed.

Senator Brown of Keokuk moved to strike the word "final" from the fifth and the ninth lines of section 4.

Senator Larrabee moved to amend the motion by striking out the word "final" and inserting the word "systematic."

Senator Hall suggested the word "comprehensive," which was accepted.

The amendment offered by Senator Larrabee was adopted, and the motion moved by Senator Brown as amended prevailed.

Senator Russell of Jones offered the following to be added to section 4: "The copyright of the reports contemplated in this act shall vest in the Secretary of State for the benefit of the people of the State."

The amendment was adopted.

Senator Larrabee moved to strike the word "three" from line two of section 5 and to insert the word "five," which motion prevailed.

On motion of Senator Sudlow the word "comprehension" was inserted in lieu of the word "final" in the third line of section 5.

Senator Smith moved to insert after the word "society" in the fifth line of said section the words "the State Agricultural Society," which amendment was agreed to.

Senator Bills offered an amendment by inserting the words "and each organized school or academy of science" after the word "institution" in the sixth line of said section, which amendment was adopted.

Senator Hutchison offered the following to be added to section 6:

*Provided*, that it shall be the duty of the Executive Council to forward said geological survey as rapidly as possible in all its bearings as provided for in this act without detriment to the final successful completion of the proposed survey, and said Executive Council shall, at any time, have the right to suspend the said survey should there appear to be unnecessary delay or unfaithful conduct on the part of those having charge of said survey, toward the final completion of the same.

The amendment was adopted.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bill, which has passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

Senate File No. 132, bill for an act to legalize the incorporation, ordinances, and official proceedings of the town of Scranton, in Greene county, Iowa.

R. P. BAIRD, *Assistant Clerk.*

Senator Patrick was excused for to-day on account of absence.

The question being on the engrossment of the bill, Senator Hutchison moved that the bill be referred back to the Committee on Ways and Means, with the instruction embodied in a resolution submitted

requesting the Governor to investigate and report to the next General Assembly the cost to the State of a complete geological survey, the number, extent, character of reports to be made, and how long a time shall be necessary to complete the same.

The motion to recommit did not prevail.

Leave of absence until Wednesday next was asked for Senator Nichols of Benton.

Leave was granted.

Senator Larrabee moved that the time of adjournment be extended until the pending bill be disposed of, which motion prevailed.

Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bills, Boling, Brown of Van Buren, Clark of Page, Dashiell, Garber, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Larrabee, Marshall, Nichols of Guthrie, Parker, Poyneer, Prizer, Robinson, Russell of Greene, Smith, Tirrill, Whaley, Wilson, and Wright—28.

The nays were:

Senators Abraham, Brown of Keokuk, Clark of Wayne, Hutohison, Kamrar, Logan, Nichols of Muscatine, Russell of Jones, and Sudlow—9.

Absent or not voting:

Senators Baker, Cotton, Gillett, Greenlee, Johnson, Keller, Mitchell, Nichols of Benton, Nielander, Patrick, Rothert, Shrader, and Wall—13.

So the bill passed, and the title was agreed to.

At twelve o'clock and forty-five minutes the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 22, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. M. R. Harned.

The journal of yesterday was read and approved.

#### PETITIONS AND MEMORIALS.

Senator Clark of Wayne presented a petition from citizens of Wayne county, asking that section 463, of chapter 10, title 4 of the Code of 1873, be amended by inserting after the word "eating-house" in line seven of said section, the words "to regulate, tax, or prohibit drug stores which retail intoxicating liquors."

## INTRODUCTION OF BILLS.

By Senator Larrabee, Senate File No. 239, a bill for an act to appropriate money for painting a portrait of Hon. John H. Gear, ex Governor of Iowa.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Clark of Wayne, Senate File No. 240, a bill for an act to amend section 463 of the Code of 1873.

Read a first and second time, ordered printed, and referred to the Committee on Suppression of Intemperance.

By Senator Greenlee, by request, Senate File No. 241, a bill for an act relating to the sale of intoxicating liquors by registered pharmacists.

Read a first and second time and referred to the Committee on Suppression of Intemperance.

By Senator Harmon, Senate File No. 242, a bill for an act to suppress the sale of intoxicating liquors at agricultural fairs.

Read a first and second time and referred to the Committee on Suppression of Intemperance.

By Senator Russell of Greene, Senate File No. 243, a bill for an act to legalize contracts made by school officers for the insurance of school buildings, and to legalize warrants or orders issued therefor.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Shrader, Senate File No. 244, a bill for an act to tax telephones and telephone companies, and to provide for their assessment within the State.

Read a first and second time, ordered printed, and referred to the Committee on Ways and Means.

By Senator Hall, by request, Senate File No. 245, a bill for an act to repeal section 1289, chapter 5, title 10 of the Code, in relation to fencing railway track, and to enact a substitute therefor.

Read a first and second time, ordered printed, and referred to the Committee on Railways.

By Senator Russell of Jones, Senate File No. 246, a bill for an act limiting the amount on which appeals may be taken on trials before justices of the peace, to the Circuit Court in civil cases.

Read a first and second time and referred to the Committee on Retrenchment.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 24, a bill for an act to repeal section 963 of the Code, and to enact a substitute therefor.

House File No. 94, a bill for an act authorizing cities acting under special charters, and having a population in excess of 22,000 inhabitants, to levy special taxes to establish and maintain paid fire departments.

House File No. 8, a bill for an act to amend sections 1 and 4, chapter 12 of the public acts of the Eighteenth General Assembly, relating to the management and loaning of the permanent school fund.

House File No. 139, a bill for an act to amend section 1, chapter 47 of the acts of the Fifteenth General Assembly, in relation to crossing highways.

House File No. 133, a bill for an act to amend section 934 of the Code of 1873.

House File No. 164, a bill for an act to amend section 2254, chapter 5, title 15 of the Code of 1873, relating to the accounts rendered by the guardians of minors.

House File No. 83, a bill for an act to amend section 936 of the Code of 1873.

House File No. 9, a bill for an act enabling county treasurers to pay outstanding warrants.

Also, that the House has passed without amendment—

Senate File No. 52, a bill for an act to amend section 3864 of the Code of 1873, in relation to the penalty for attempts to produce a miscarriage.

Also, that the House has passed—

Senate File No. 39, a bill for an act relating to the trial of equitable actions, amending section 2742, chapter 9, title 17 of the Code of Iowa, as amended by chapter 145, laws of the Seventeenth General Assembly, with the following amendment: by striking out the words "and decided, after the word "submitted," in third line of section 2 of said bill, and inserting the word "to" in lieu thereof.

A. W. RENSHAW, *Second Assistant Clerk.*

By Senator Rothert, Senate File No. 247, a bill for an act to amend sections 4, 10, 11, and 12, of chapter 75 of the acts of the Eighteenth General Assembly.

Read a first and second time and referred to the Committee on Medicine, Surgery, and Hygiene.

#### RESOLUTION.

Senator Graves offered the following resolution, which was referred to the Committee on Ways and Means:

WHEREAS, For a quarter of a century the manufacture and sale of beer has received from the State of Iowa the same protection and encouragement extended to other industries; and,

WHEREAS, Having every confidence in the stability of this policy, enterprising citizens of the State have invested four million dollars in permanent property connected with the manufacture of beer, all of which is now threatened with confiscation under the proposed amendment to the Constitution; therefore,

*Be it resolved*, That fair and adequate compensation shall be made by the State for all property confiscated under and by virtue of said Constitutional amendment.

## REPORTS OF COMMITTEES.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 238, a bill for an act additional and amendatory to section 797, chapter 1, title 6 of the Code, relating to exemptions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding the words "from taxation" to title thereof, and as amended it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 231, a bill for an act to legalize the sale of certain school lands in Buena Vista county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Senator Russell, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 189, a bill for an act authorizing the purchase of grounds by the State for the use of the State fair and appropriating money to pay therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be passed by the Senate.

JOHN RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred preamble and concurrent resolution from the House in regard to instructing our Senators and Representatives in Congress to use their endeavors to secure legislation to eradicate from the United States the disease among cattle known as pleuro-pneumonia, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the preamble and resolution be concurred in and adopted by the Senate.

JOHN RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 70, a bill for an act to repeal section 1485, chapter 3, title 11 of the Code of 1873, in relation to dogs and for taxing the same, and paying for sheep killed by dogs. Also, Senate File No. 90, a bill for an act to provide a fund from which to pay for sheep killed or injured by dogs, beg leave to report that they have had the same under consideration, and have adopted the substitute for both

bills herewith appended: a bill for an act to provide for the taxation of dogs and for the protection and encouragement of sheep husbandry, and have instructed me to report the same back to the Senate with the recommendation that the substitute do pass.

JOHN RUSSELL, *Chairman*.

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 125, a bill for an act to repeal part of section 521, chapter 10, title 4 of the Code, and enact a substitute therefor, relating to the election of aldermen in cities of the first class, and amended in the House by adding to the first section thereof the following: "Provided, that when any city of the first class embraces within its corporate limits the whole or parts of two or more different townships, two of which townships, or parts thereof, contain five hundred electors each, that only one of the aldermen-at-large, herein provided for, shall be elected from any one of such townships, or parts of townships," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the House amendment be amended so as to read "one thousand electors" where the words "five hundred electors" occur in the House amendment; and that when so amended the same do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Senator Dashiell, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 237, a bill for an act to amend section 1539 of the Code of 1873, providing for penalty for selling intoxicating liquors to minors and intoxicated persons, beg leave to report that they have had the same under consideration, and have instructed me report the same back to the Senate with the recommendation that it be printed and do pass.

M. A. DASHIELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 234, a bill for an act to amend section 4611 of the Code of 1873, in relation to imprisonment for fines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. A. DASHIELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 92, a bill for an act for the suppression of treating, beg leave to report that they have had the same under consideration, and have instructed me to report the same back



to the Senate with the recommendation that it be indefinitely postponed.

M. A. DASHIELL, *Chairman.*

Ordered passed on file.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 34, a bill for an act to amend chapter 59 of the acts of the Seventeenth General Assembly, in relation to the assessment and taxation of telegraph lines within the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WM. LARRABEE, *Chairman.*

Ordered passed on file.

#### BILLS ON THIRD READING.

Senate File No. 185, a bill for an act to repeal section 3774 of the Code of 1873, and to provide a substitute therefor, and to fix the salaries of the judges of the Circuit and District Courts, was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hutchison, Kamrar, Keller, Larrabee, Logan, Nichols of Guthrie, Nichols of Muscatine, Nielander, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Shrader, Smith, Tirrill, Whaley, Wilson, and Wright—34.

The nays were:

Senators Abraham, Clark of Wayne, Greenlee, Hunt, Marshall, Mitchell, Parker, Russell of Jones, Sudlow, and Wall—10.

Absent or not voting:

Senators Cotton, Dashiell, Hebard, Johnson, Nichols of Benton, and Patrick—6.

So the bill passed, and the title was agreed to.

Senate File No. 156, a bill for an act to amend section 3072, chapter 2, title 28 of the Code of 1873, was taken up and read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Dashiell, Garber, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Prizer, Robinson, Rothert, Russell of Greene, Shrader, Smith, Wall, Whaley, and Wilson—34.

The nays were:

Senators Brown of Van Buren, Clark of Wayne, Gillett, Keller, Poyneer, Russell of Jones, Sudlow, Tirrill, and Wright—9.

Absent or not voting:

Senators Cotton, Hebard, Johnson, Logan, Nichols of Benton, Parker, and Patrick—7.

So the bill passed, and the title was agreed to.

## BILLS ON SECOND READING.

Senator Larrabee had leave to call up for consideration Senate File No. 173, a bill for an act making appropriation to reimburse George W. Bemis for loss sustained when Treasurer of State, with report of committee recommending amendment by adding a section providing for payment of interest at six per cent from November 15th, 1880, to February 15th, 1882, being fifteen months and amounting to two hundred and seventy-six dollars and seventy-five cents; also, a publication clause, and when so amended that it do pass.

The report of the committee was adopted.

The question being on the engrossment of the bill.

Senator Larrabee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Cotton, Hebard, Johnson, Nichols of Benton, Parker, Patrick, and Wilson—7.

So the bill having received a majority of two-thirds passed, and the title was agreed to.

Senator Patrick was excused from attendance for to-day.

Senator Rothert had leave to call up for consideration Senate File No. 172, a bill for an act to pay creditors of the Iowa Penitentiary at Fort Madison, with report of committee recommending amendment by adding to the fourth line of section 3 the phrase "and allow or disallow said claims in whole or in part as to them may seem just and right," and when so amended that it do pass.

The amendments were adopted.

Senator Rothert moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Sudlow, Tirrill, Wall, and Wright—41.

The nays were—None.

Absent or not voting.

Senators Cotton, Gillett, Hebard, Johnson, Nichols of Benton, Patrick, Smith, Whaley and Wilson—9.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bill, which has passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

House File No. 122, a bill for an act to legalize the incorporation of the town of Spencer, in Clay county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

A. W. RENSHAW, *Second Assistant Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills without amendment:

Substitute for Senate File No. 151, a bill for an act to legalize the sale of certain lands by the State University.

Senate File No. 205, a bill for an act to legalize the conveyance of certain land to the Logan Cemetery Association by the Blair Town Lot and Land Company, and to legalize the organization and acts of said Logan Cemetery Association.

Also, that the House has concurred in Senate joint resolution in relation to barb wire, drive-wells, and other patent right monopolies.

House has concurred in Senate amendment to House File No. 11, a bill for an act requiring boards of directors to set out trees on school grounds.

A. W. RENSHAW, *Second Assistant Clerk.*

#### SPECIAL ORDER.

The time for the special order having arrived, the same was taken up for consideration, being Senate File No. 74, with the report of the committee recommending that it do not pass, together with the minority report recommending that it do pass.

Senator Gillett moved that the bill be indefinitely postponed.

Senator Hall offered the following resolution, which was adopted:

WHEREAS, It is a time honored custom in legislative and legal bodies to adjourn on the anniversary of the birth of George Washington; and,

WHEREAS, This is the anniversary of his birth; therefore,

*Resolved*, That out of regard to his memory the Senate so now stand adjourned until to-morrow at 9:30 A. M.

SENATE CHAMBER,  
DES MOINES, IOWA, February 23, 1882. }

Senate met pursuant to adjournment, and was called to order by Senator Harmon, President *pro tem*.

Prayer by Rev. M. N. Miles.

The journal of yesterday was read and approved.

#### INTRODUCTION OF BILLS.

By Senator Smith, Senate File No. 248, a bill for an act requiring the cost of paving street and alley intersections in certain cities to be paid out of a general paving fund, and authorizing the levy of a special tax therefor.

Read a first and second time and referred to the Committee on Municipal Corporations.

By Senator Abraham, Senate File No. 249, a bill for an act making an appropriation for the Hospital for the Insane at Mt. Pleasant.

Read a first and second time and referred to the Committee on Appropriations.

Also, Senate File No. 250, a bill for an act making further appropriations for the Hospital for the Insane at Mt. Pleasant.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Russell of Jones, Senate File No. 251, a bill for an act to repeal section 1241, chapter 4, title 10 of the Code, and enact a substitute therefor, relating to taking private property for works of internal improvement.

Read a first and second time and referred to the Committee on Railways.

By Senator Wright, Senate File No. 252, a bill for an act defining the rights and liabilities of railroad and sleeping car companies owning, running, or operating sleeping-cars in this State.

Read a first and second time and referred to the Committee on Judiciary, and ordered printed.

By Senator Baker, Senate File No. 253, a bill for an act to amend section 1923, chapter 4, title 13 of the Code of 1873.

Read a first and second time and referred to the Committee on Judiciary.

Leave of absence, on account of sickness, was asked for Senator Russell of Greene.

Leave was granted.

President Manning resumed the chair.

#### RESOLUTIONS.

Senator Poyneer offered the following resolution:

WHEREAS, It is provided by section 5 of an act of Congress, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," that a sum not exceeding ten per cent upon the amount

received by any State under the provision of the act may be expended for the purchase of land for sites or experimental farms, whenever authorized by the respective legislatures of said States,

*Be it resolved by the General Assembly of the State of Iowa, That the board of trustees of the Iowa Agricultural College be and are hereby authorized to purchase and pay for from the endowment fund of the college, thirty acres of land lying adjacent to the college farm, and necessary to its completeness, providing the same shall not cost to exceed the sum of \$1,000.*

Referred to the Committee on Agricultural College.

Senator Hall offered the following resolution:

*Resolved, That the Clerk be instructed to have prepared, printed, and laid upon the desks of senators, a calendar of all bills on the files, including House messages and memorials on file for second and third readings, in the order in which they stand for disposition. And that he have prepared, printed, and placed on the desks, similar calendar of all subsequent files, messages, etc., as they are placed on file each day, on the morning of each day. Such calendar to also contain the orders made in relation to such files, messages, etc.*

The resolution was adopted.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 153, a bill for an act to legalize the official acts of Isaiah Doane, mayor of the incorporated town of Webster City, Iowa.

House File No. 155, a bill for an act to make the printed copies of the ordinances of Ft. Dodge, Webster county, Iowa, primary evidence of said ordinances, and to legalize and validate the same.

E. C. HAYNES, *Clerk.*

#### REPORTS OF COMMITTEES.

Senator Garber, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 63, a bill for an act to amend section 983, chapter 2, title 7 of the Code of 1873, relating to the time of performing labor on highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. GARBER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 203, a bill for an act to legalize and make valid and binding the establishment of highways of a less width than sixty-six feet by county auditors, beg leave to report that they have had the same under consideration, and have instructed me to report the same

back to the Senate with the recommendation that it be passed by the Senate.

M. GARBER, *Chairman*.

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 109, a bill for an act requiring city councils and boards of trustees of cities and towns organized under the general incorporation laws of Iowa to pass annual appropriation ordinances, and to limit the expenditure of money by them, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the Senate with a substitute therefor, with the recommendation that said substitute do pass. Said substitute is herewith reported with the reporting back of the original bill, and is entitled: "A bill for an act making it unlawful for city councils and boards of trustees of cities and towns organized under the general incorporation laws, to incur or contract any indebtedness in excess of the revenue thereof for each current year."

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Senator Wilson, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Senate File No. 150, a bill for an act to cede jurisdiction over certain lands, the property of the United States, for custom-house, post-office, or court-house, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. M. WILSON, *Chairman*.

Ordered passed on file.

Senator Gillett, from the Committee on Senatorial Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Senatorial Districts, to whom was referred Senate File No. 192, a bill for an act to apportion the State of Iowa into Senatorial Districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and that when so adopted it do pass.

GILLETT, *Chairman*.

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 122, a bill for an act to legalize the incorporation of the town of Spencer in Clay county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

House File No. 53, a bill for an act to legalize the proceedings of the town council of the town of Corning, Adams county, Iowa, held on the 3d day of June, 1879, vacating a certain alley in said town.

Senate File No. 52, a bill for an act to amend section 3844 of the Code of 1873 in relation to the penalty for attempts to produce mis-carriage.

Also, Senate resolution in regard to barb wire, drive-well, and other patent right monopolies and vexatious litigation growing therefrom.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

#### BILLS ON SECOND READING.

Senate File No. 72, a bill for an act to repeal section 328, chapter 4 of the Code, relating to the manner of canceling county warrants, and adopting a substitute therefor, with report of committee offering a substitute and recommending that it do pass, was taken up, and the substitute was adopted.

Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—43.

The nays were—None.

Absent or not voting.

Senators Cotton, Dashiell, Hartshorn, Hebard, Johnson, Russell of Greene, and Wall—7.

So the bill passed, and the title was agreed to.

Senator Hall had leave to call up for consideration House File No. 125, a bill for an act to repeal part of section 521, title 4, chapter 10 of the Code, and enact a substitute therefor, relating to the election of aldermen in cities of the first class, with report of committee recommending amendment to House amendment, so as to read "one thousand electors" where the words "five hundred electors" occur, and that when so amended it do pass.

The report of committee was adopted.

Senator Hall moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Cotton, Greenlee, Hebard, Johnson, Kamrar, Russell of Greene, and Wall—7.

So the bill passed, and the title was agreed to.

Senator Wilson had leave to call up for consideration Senate joint resolution and memorial, relative to repeal of the pension arrears act, with report of committee recommending that the resolution do pass.

Senator Marshall moved that the rule be suspended, and the resolution read a third time now.

The motion was lost.

Senator Nichols of Muscatine moved that the Senate resume consideration of Senate File No. 74, amending the Code, in relation to semi-annual payment of taxes, which motion prevailed.

The question being on the pending motion moved by Senator Gillett that the bill be indefinitely postponed, the yeas and nays were demanded.

The yeas were:

Senators Arnold, Baker, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Henderson, Larrabee, Mitchell, Nielander, Parker, Tirrill, and Wright—16.

The nays were:

Senators Abraham, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Greenlee, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Wall, Whaley, and Wilson—31.

Absent or not voting:

Senators Cotton, Hebard, and Russell of Greene—3.

So the motion was lost.

Senator Bills moved to amend section 1, by striking out the word "January" in the fifth line and inserting the word "November."

Senator Garber moved to amend by inserting "December" in lieu of "November."

The amendment was adopted, and the motion as amended prevailed.

Senator Brown of Van Buren offered the following to be added to section 1, before the word "no" in the third line which was not accepted: "Taxes shall become due and payable on the first Monday in January in each year."

Senator Brown of Keokuk moved to amend said section by striking from the fourth and fifth lines the words "at some time between the first Monday in January and" and inserting the word "by" in lieu thereof; and also by inserting "of each year," after "March," in the fifth line of said section.

The motion was lost.

Senator Robinson offered an amendment to said section by striking from the fourteenth line the word "levy" and inserting the words "maturity of the first installment"; and by inserting the word "second" after "such," in the fifteenth line.

The motion prevailed.

On motion of Senator Poyneer the word "December" was stricken from the third line of section 2, and "the third Monday in November" inserted in its stead.



Senator Brown of Van Buren moved to strike out section 3.

Senator Robinson offered to amend the motion by inserting for section 3 the following:

SEC. 3. The provisions of this act shall not apply to any county in which the township collector system of collecting taxes has been or shall be adopted during the time such system is in force therein.

The amendment was agreed to, and the motion as amended prevailed.

Section 6 was added, on motion of Senator Bills, as follows:

SEC. 6. This act shall take effect and be in force on and after the first day of November, 1883, and not before.

Senator Logan moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

Senator Robinson moved a reconsideration of the vote by which the bill was ordered to a third reading.

On which question the yeas and nays were demanded, and

The yeas were:

Senators Abraham, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Greenlee, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Wall, and Whaley—26.

The nays were:

Senators Baker, Boling, Clark of Page, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Henderson, Keller, Larrabee, Mitchell, Nichols of Benton, Nielander, Parker, Tirrill, and Wright—19.

Absent or not voting:

Senators Arnold, Cotton, Hebard, Russell of Greene, and Wilson—5.

So the motion prevailed.

On motion the bill was recommitted to a special committee, consisting of Senators Nichols of Muscatine, Hemenway, Bills, Logan, Brown of Keokuk, Sudlow, Brown of Van Buren, Marshall, and Patrick.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills and joint resolution, which have passed both branches of the General Assembly, and have been duly enrolled and signed by the Speaker of the House:

Senate File No. 52, a bill for an act to amend section 3864 of the Code of 1873, in relation to the penalty for attempts to produce a miscarriage.

House File No. 53, a bill for an act to legalize the proceedings of the town council of the town of Corning, Adams county, Iowa, held on the 3d day of June, 1879, vacating a certain alley in said town.

Also, Senate joint resolution relating to barb-wire, drive-well, and other patent-rights.

Also, I am directed to ask you, honorable body to return to the House, House File No. 153, a bill for an act to legalize the official acts

of Isaiah Doane, mayor of the incorporate town of Webster City, Iowa.

R. B. BAIRD, *Assistant Clerk.*

On motion of Senator Hartshorn, the Secretary was instructed to return to the House, House File No. 153.

Senator Arnold was granted leave of absence for to-day on account of sickness.

Senator Smith had leave to call up Senate File No. 46, a bill for an act to repeal section 390 of the Code, and to enact a substitute therefor in relation to the election of assessors, with report of committee recommending amendment by inserting in line twenty-four of the printed copy after the word "case" the words "there should be a failure to elect"; and by adding to the bill as follows:

*"Provided, That the city council of any city or town having a population as aforesaid, shall have power in the year 1882, by resolution to increase the number of assessors not exceeding three, and appoint the additional number provided for; and such assessors so appointed shall qualify, and act, and hold their office for the term as provided for in this act."*

The amendments recommended by the committee were adopted.

Senator Smith moved to amend section 1 by adding after the word "Code" in the first line the following: "As re-enacted by chapter 6 of the laws of the Sixteenth General Assembly, and amended by chapter 201 of the laws of the Eighteenth General Assembly," and by striking out the word "is" and inserting "are" in its place.

The amendment was adopted.

The question being on the engrossment of the bill, Senator Smith moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Arnold, Cotton, Gillett, Hebard, Russell of Greene, and Wilson—6.

So the bill passed, and the title was amended by adding after the word "Code" the words "chapter 6 of the laws of the Sixteenth General Assembly, chapter 201 of the laws of the Eighteenth General Assembly," and as thus amended the title was agreed to.

Senator Henderson had leave to call up for consideration Senate Files Nos. 10 and 14, and substitute for House File No. 19, with report

of the committee offering a substitute, and recommending that it do pass.

The report of the committee was adopted.

Senator Henderson moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rotherth, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Arnold, Cotton, Dashiell, Hebard, Nichols of Muscatine, Russell of Greene, and Wilson—7.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill:

Senate File No. 173, a bill for an act making an appropriation to reimburse George W. Bemis for loss sustained by him in July, 1877, when Treasurer of State.

A. W. RENSHAW, *Second Assistant Clerk.*

At 12 o'clock and thirty minutes the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 24, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. J. E. Stauffacher.

The journal of yesterday was read and approved.

#### PETITIONS AND MEMORIALS.

By Senator Abraham, a petition was presented relative to the pharmacy law.

Referred to the Committee on Medicine, Surgery, and Hygiene.

Senator Larrabee presented a petition of sixty citizens of Harrison county, praying that women be allowed to vote in all school elections.

Referred to the Committee on Schools.

Senator Marshall had leave to call up Senate joint resolution relative to repeal of the pension arrears act for the purpose of having the same ordered printed.

#### INTRODUCTION OF BILLS.

By Senator Robinson, Senate File No. 254, a bill for an act to provide for the appointment and compensation of the Supreme Court Reporter.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Hutchison, Senate File No. 255, a bill for an act to repeal section 4362 of the Code, and enact a section in lieu thereof, concerning the right of a defendant to withdraw the plea of guilty.

Read a first and second time and referred to the Judiciary Committee, and ordered printed.

By Senator Larrabee, Senate File No. 256, a bill for an act to repeal chapter 153, of the laws of the Nineteenth General Assembly, and to amend section 1, of the Eighteenth General Assembly.

Read a first and second time, and referred to the Committee on Judiciary.

Also, Senate File No. 257, a bill for an act to amend section 8, of chapter 77, acts of the Seventeenth General Assembly, making the Railroad Commissioners' tax payable directly into the State treasury.

Read a first and second time and referred to the Committee on Ways and Means.

By Senator Hall, Senate File No. 258, a bill for an act to change the name of the village of Steele, in Appanoose county, Iowa.

Read a first and second time and referred to the Committee on County and Township Organization.

By Senator Logan, Senate File No. 259, a bill for an act to legalize the sale of certain school lands in Monona county, Iowa.

Read a first and second time and referred to the Committee on Schools.

By Senator Russell of Greene, Senate File No. 260, a bill for an act to repeal sections 3201 and 3202 of the Code of 1873, and to provide a substitute therefor, in relation to petitions and arguments for rehearing in the Supreme Court.

Read a first and second time and referred to the Judiciary Committee

#### RESOLUTIONS.

A resolution was offered by Senator Clarke of Wayne, as follows:

*Resolved by the Senate, the House concurring,* That our Senators and Representatives in Congress be requested to use all honorable means to secure the enactment of a law granting a pension to the soldiers of the Mexican War.

*Be it resolved by the Senate of the State of Iowa, unanimously,* That all trips, however deliberate, heretofore made, and now being daily attempted by the Des Moines City Street Car Line Company, the same are hereby legalized and made valid and binding *all the same* as though the said trips had been made within two hours of proper time, and that proprietors thereof be reimbursed for all extraordinary expen

ses for feed for teams, lodging for self and passengers in staying overnight en route from the Kirkwood to the East Side.

Referred to the Committee on Enrolled Bills.

#### REPORTS OF COMMITTEES.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means to whom was referred Senate File No. 228, a bill for an act entitled an act to repeal sections 1324, 1325, 1326, 1327, 1328, and 1329 of the Code of Iowa, and to re-enact the same with amendments, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "village," wherever it occurs, and inserting the word "town"; and by inserting the words "or negligently" before the word "fails," in the second line of section 13; and inserting section 16, as follows: "The proprietor of the telegraph is liable for all mistakes in transmitting messages made by any person in his employment, and for all damages resulting from a failure to perform any other duties required by law." And to re-number sections 16, 17, and 18 so as to read 17, 18, and 19; and to attach the publication clause in lieu of section 19; and that when so amended that it do pass.

WM. LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 202, a bill for an act to amend section 818 of the Code, relating to the taxing of shares of national banks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WM. LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 123, a bill for an act to require husband and wife to join in a chattel mortgage to render it valid upon property exempt from general execution, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WM. LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 174, a bill for an act to provide for levying a half mill State tax to reimburse the general revenue fund of the State for money paid on account of war debts, etc., beg leave to report that they have had the same under consideration, and have in-

structed me to report the same back to the Senate with the recommendation that it do pass.

WM. LARABEE, *Chairman*.

Ordered passed on file.

MR. PRESIDENT—Your committee to whom was referred House resolution asking that a special committee be appointed to visit the Asylum for Feeble-Minded Children at Glenwood, do most respectfully report that they have had the same under consideration, and after a careful investigation are of the opinion that the appointment of such committee at this time is unnecessary, and recommend that it do not pass.

C. B. HUNT, *Chairman*.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 248, a bill for an act requiring the cost of paving street and alley intersections in certain cities to be paid out of a general paving fund, and authorizing the levy of a special tax therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended in section 1, the fifth line of the original bill, by inserting after the word "State" therein the words "including cities acting under special charters therein," and in section 5, first line thereof after the word "organized" insert the words "or acting," and in the fourth line of said section 5, after the word "streets" therein insert the words "and alleys," and when so amended that the bill do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 225, a bill for an act to repeal section 487 of the Code and enact a substitute in lieu thereof in relation to poll-tax, beg leave to report that they have had the same under consideration, and a majority thereof have instructed me to report the same back to the Senate with the recommendation that as amended it do pass, and have amended the same by adding section 2, covering the publication clause in these words; to-wit,

SECTION 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Iowa State Leader, newspapers published at Des Moines, Iowa.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 220, a bill for an act giving to certain cities all bridge taxes levied by county authority and collected on property within the limits of such cities, and providing for the expenditure of same, beg leave to report that they have had the same under con-

sideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 128, a bill for an act providing for holding terms of the District and Circuit Courts at Avoca, in the county of Pottawattamie, in the Thirteenth Judicial District of the State of Iowa, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 37, a bill for an act changing the law of descent and inheritance, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be amended by adding to section 1 the following words: "*Provided, however, That nothing in this act shall affect any homestead right or other exempt property, or constitute a charge thereon; and provided further, That in all cases where the estate of the intestate decedent is insolvent, the share or portion of the surviving husband or wife shall be charged with two-thirds only of the amount due or owing from such survivor,*" and when so amended it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 60, a bill for an act establishing the Supreme Court at the capital of the State, and fixing the terms thereof, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting after word "court" in line 13, section 1, "The court shall remain in session until all causes submitted to them have been decided, except where a re-argument is ordered and the consideration and determination of causes shall be by all the judges, and the court shall not remit any cause to any one of the judges for examination or decision," and as so amended it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 170, a bill for an act enabling counties to recover moneys expended for the relief of the poor, beg leave to report that they have had the same under consideration, and have instructed

me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 138, a bill for an act to legalize acknowledgment of conveyances by power of attorney made by John W. McMillan, attorney-in-fact for Robert M. Wingate, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Marshall, from the Committee on Reform Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Reform Schools, to whom was referred Senate File No. 15, a bill for an act to amend section 1659 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. C. MARSHALL, *Chairman*.

Ordered passed on file.

Senator Robinson, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 165, a bill for an act to repeal sections 3755, 3756, 3757, 3758, and 3760 of the Code, and enact substitutes therefor, in relation to the compensation of officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator Harmon, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred a joint resolution agreeing to an amendment to the Constitution of the State of Iowa prohibiting the manufacture and sale of intoxicating liquors as a beverage within the State, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that such proposed amendment be agreed to.

HARMON, *Chairman*.

Ordered passed on file.

Senator Russell of Jones, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 135, a bill for an act to reclaim and protect agricultural low lands by construction of levees, by amending the present ditch and drainage law, beg leave to report that they have had the



same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be adopted and passed by the Senate.

JOHN RUSSELL, *Chairman.*

Ordered passed on file.

Senator Baker, from the Committee on Medicine, Surgery, and Hygiene, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery, and Hygiene, to whom was referred Senate File No. 247, a bill for an act to amend sections 4, 10, 11, and 12, of chapter 75 of the the acts of the Eighteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out all after the word “by,” in the third line of section 3, and inserting in lieu thereof the words “nor more than two hundred dollars,” and when so amended that it do pass.

H. A. BAKER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Medicine, Surgery, and Hygiene, to whom was referred Senate File No. 122, a bill for an act to amend chapter 151, laws of the Eighteenth General Assembly, in relation to State Board of Health, and of vital statistics, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying substitute, and recommend the adoption of the substitute, and when so adopted it do pass.

Ordered printed.

H. A. BAKER, *Chairman.*

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 173, a bill for an act making an appropriation to reimburse Geo. W. Bemis for the loss sustained by him in July, 1877, when Treasurer of State.

Also, House memorial to our Senators and Representatives in Congress in regard to the improvement of the Missouri River.

And find the same correctly enrolled.

T. E. CLARK, *Chairman.*

MR. PRESIDENT—Your Special Committee, to whom was referred Senate File No. 74, providing for the semi-annual payment of taxes, beg leave to report that they have had the same under consideration, and would recommend that the said bill be amended by inserting the word “real” before the word “property” where it occurs in lines twenty-two and twenty-four, of the said bill in section 1, which is evidently a clerical omission; also, that sections 4 and 5, herewith submitted, be added to the bill, and that so amended your committee are of the unanimous opinion that the bill do pass.

NICHOLS OF MUSCATINE, *Chairman.*

Senator Whaley, from the Committee on Military Affairs, submitted the following report:

MR. PRESIDENT—Your Committee on Military Affairs, to whom was referred Senate File No. 57, a bill for an act to repeal the military law passed by the Eighteenth General Assembly, beg leave to report that they have had the same under consideration, and by majority vote have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WHALEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military Affairs, to whom was referred report of committee appointed by the Nineteenth General Assembly on badge of honor for soldiers and sailors of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the enclosed resolution to the report of the committee be adopted, and recommend the printing of the resolution.

WHALEY, *Chairman*.

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 151, an act to legalize the sale of certain lands by the State University.

Senate File No. 205, an act to legalize the conveyance of certain lands to the Logan Cemetery Association by the Blair Town Lot and Land Company, and to legalize the organization and acts of said Logan Cemetery Association.

House File No. 11, requiring boards of directors to set out trees on school grounds.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

#### BILLS ON SECOND READING.

Senate File No. 225, a bill for an act to repeal section 487 of the Code, and enact a substitute in lieu thereof, in relation to poll-tax, with report of the committee recommending amendment by adding to the bill the publication clause as follows:

"SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Iowa State Leader, newspapers printed at Des Moines, Iowa."

The report was adopted.

The word "fifty" was stricken from the sixth line of section 1, and the words "forty-five" inserted in its place, on motion of Senator Brown of Van Buren.

Senator Brown of Keokuk offered an amendment by adding to section 1, the following: "and that all such sums remaining unpaid on the first day of September of each year may be treated and collected as taxes on property of the delinquent that may be listed for taxation, and owned by him on the first day of November, of the same year."

The amendment was adopted.

Senator Whaley moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Arnold, Bills, Clark of Wayne, Cotton, Greenlee, Hebard, and Johnson—7.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

Joint resolution and memorial of the General Assembly of the State of Iowa, relating to the Des Moines River lands.

Also, House File No. 275, a bill for an act to legalize the reorganization and incorporation of the town of Princeton, Scott county, Iowa.

Also, returned House File No. 153, a bill for an act to legalize the acknowledgments taken and certified by Isaiah Doane, mayor of the incorporated town of Webster City, Iowa.

A. W. RENSHAW, *Second Assistant Clerk.*

House File No. 138, a bill for an act to legalize the acknowledgments of conveyances by power of attorney made by Jno. W. McMillan, attorney-in-fact for Robert M. Wingate, with report of committee recommending that the bill do pass, was taken from the file for consideration.

Senator Gillett moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—45.

The nays were—None.

Absent or not voting:

Senators Arnold, Cotton, Hebard, Johnson, and Wilson—5.

So the bill passed, and the title was agreed to.

Senate File No. 65 was taken up and considered, a bill for an act changing and regulating the civil practice in the Circuit Courts of the State, with report of the committee recommending amendment by adding after the word "Sunday" in the ninth line of section 3 the words "or any legal holiday," and by striking out the word "Monday" in the last line of section 3 and inserting in lieu thereof the word "day," and that when so amended it do pass.

Senator Hall moved to amend section 1 by adding the following:

"The court shall have power to establish rules for expediting the business of the court, and may by general rule or special order refer matters of account, proof in default causes, and other similar matters not involving final judgment, to any competent person as referee, to hear the proof, state the account, and report the fact, upon which the court shall proceed to make such orders and enter such judgments as are requisite in the premises."

Senator Russell of Greene moved to amend section 1 by striking out all of said section after the word "court," in the sixth line.

Senator Parker moved that the bill be made a special order for Wednesday next.

Senator Tirrill offered an amendment to the motion by inserting "Thursday" in lieu of the word "Wednesday."

The amendment was accepted.

The question recurring on the original motion, the same prevailed.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bill and memorial, which has passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

Senate File No. 173, bill for an act making an appropriation to reimburse Geo. W. Bemis for the loss sustained by him in July, 1877, when Treasurer of State.

Memorial to Congress relative to improving the Missouri River from Sioux City to its confluence with the Mississippi.

R. B. BAIRD, *Assistant Clerk.*

Senator Rothert, by consent, offered the following

#### CONCURRENT RESOLUTION.

*Be it resolved by the Senate, the House concurring,* That our Senators in Congress be instructed, and our Representatives requested, to use their influence to secure the passage of an act giving pensions to such persons in the U. S. service as were imprisoned in Confederate prisons during the war of the rebellion.

Read a first and second time, and referred to the Committee on Federal Relations, with instructions to report to-morrow.

Read a first and second time and referred to the Judiciary Committee.

House File No. 68, a bill for an act to pay T. Whiting for lease of property to the Girls' Department of the Reform School, was ordered passed on file.

Senate File No. 186, a bill for an act to pay I. C. Crawford for services and expenses in recruiting one company of soldiers in the months of October and November, A. D. 1861.

Read a first and second time and referred to the Committee on Claims.

House File No. 155, a bill for an act to make the printed copies of the ordinances of Fort Dodge, Webster county, Iowa, primary evidence of said ordinances and to legalize and validate the same.

Read a first and second time and referred to the Committee on Municipal Corporations.

House joint resolution and memorial relative to Des Moines River lands, was read a first and second time.

Senator Kamrar moved that the rule be suspended, and the resolution be considered engrossed, and read a third time now, which motion prevailed, and the resolution was read a third time.

The question being, shall the resolution pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wilson—42.

The nays were—None.

Absent or not voting:

Senators Arnold, Cotton, Hartshorn, Hebard, Johnson, Mitchell, Nichols of Benton, and Wright—8.

So the joint resolution and memorial passed, and the title was agreed to.

House File No. 275, a bill for an act to legalize the reorganization and incorporation of the town of Princeton, Scott county, Iowa.

Read a first and second time and referred to the Judiciary Committee.

House File No. 153, a bill for an act to legalize the official acts of Isaiah Doane, mayor of the incorporated town of Webster City, Iowa.

Read a first and second time and referred to the Judiciary Committee.

Senator Harmon was granted leave of absence until Monday next.

At 12:30 o'clock the Senate ajourned.

SENATE CHAMBER, }  
DES MOINES, IOWA, February 25, 1882. }

The Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. B. J. Bradford.

The journal of yesterday was read and approved.

#### PETITIONS AND MEMORIALS.

Senator Robinson presented a petition from citizens of Buena Vista county, relative to the extermination of noxious weeds.

Referred to the Committee on Agriculture.

A petition from citizens of Iowa county was presented by Senator Patrick protesting against the so called "Pickler school bill," now pending in the legislature.

Referred to the Committee on Schools.

#### INTRODUCTION OF BILLS.

By Senator Poyneer, Senate File No. 261, a bill for an act to legalize the incorporation of the town of Gladbrook in Tama county, Iowa, and acts of the town council thereof.

Read a first and second time and referred to the Judiciary Committee.

Also, Senate File No. 262, a bill for an act to amend sections 371 and 3844 of the Code.

Read a first and second time and referred to the Committee on Compensation of Public Officers.

By Senator Russell of Greene, Senate File No. 263, a bill for an act to prevent accidents at railroad crossings.

Read a first and second time and referred to the Committee on Railways.

By Senator Rothert, Senate File No. 264, a bill for an act to provide for State certificates to teachers of public schools.

Read a first and second time and referred to the Committee on Schools.

#### REPORTS OF COMMITTEES.

Senator Robinson, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 216, a bill for an act to repeal section 2, of chapter 38 of the laws of the Eighteenth General Assembly, in relation to compensation of officers and employes of the General Assembly, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when adopted it do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Wilson, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred a concurrent resolution relating to granting pensions to Union soldiers imprisoned in rebel prisons during the war of the Rebellion, beg leave to report that they have had the same under consideration, and by a majority vote of said committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. M. WILSON, *Chairman.*

Ordered passed on file.

Senator Bills, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 207, a bill for an act authorizing the election of a commissioner of highways, defining his duties, and those of other township officers, in relation to the working of highways, and repealing section 968, chapter 2 of the Code, and chapter 52 of the acts of the Eighteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report that they have amended section 22 of said bill by striking out the word "twenty" in the first line of said section 22, of printed bill, and substituting the word "fifteen" therefor; also, by adding to said section 22 the written clause appended to the printed bill; and as so amended it is referred back to the Senate without recommendation.

M. GARBER, *Chairman.*

Ordered passed on file.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 243, a bill for an act to legalize contracts made by school officers, for the the insurance of school buildings, and to legalize warrants or orders issued therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 133, a bill for an act to amend section 934 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Roads and Highways.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 196, a bill for an act to amend sections 2263, 2375, 2386, 2398, 2403, 2419, and 2427 of the Code of 1873, relating to the powers of the clerk of the Circuit Court in settlement of estates and

guardianships, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 27, a bill for an act requiring judicial and police officers of counties, cities, and towns to advertise stolen property coming into their possession, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted and do pass.

Ordered printed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate Files Nos. 84, 102, and 110, Senate File No. 84, being a bill for an act to amend section 3879 of the Code of 1873, in relation to carrying concealed weapons, Senate File No. 102 being a bill for an act to suppress the practice of carrying concealed weapons, Senate File No. 110 being a bill for an act to prevent the carrying or sale of certain weapons and to confiscate the same, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute in lieu thereof be adopted and do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Minority report of Committee on Agriculture on substitute for Senate Files Nos. 6 and 18, was ordered printed.

Senator T. E. Clark, from the Committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval, Senate File No. 173, an act making an appropriation to reimburse George W. Bemis for the loss sustained by him in 1877, when Treasurer of State.

Senate File No. 205, an act to legalize the conveyance of certain land to the Logan Cemetery Association by the Blair Town Lot Company, and to legalize the organization and acts of the said Logan Cemetery Association.

Senate File No. 151, an act to legalize the sale of certain lands by the State University.

Senate resolution in relation to construction of railroad bridges and other bridges over the Missouri River, above Omaha.

House File No. 11, an act requiring boards of directors to set out trees on school grounds.

And find the same correctly enrolled:

T. E. CLARK, *Chairman*.



House File No. 133, relative to amending section 934 of the Code, was, on motion of Senator Russell of Greene, taken up and referred to the Committee on Highways.

Leave of absence for Senators Gillett, Nichols of Muscatine, and Brown of Keokuk was asked until Monday next.

Leave was granted.

Senator Clark of Page was excused from attendance until next Wednesday at his own request.

Senator Clark of Wayne had leave to file a report of minority of Committee on Agriculture, on Senate Files Nos. 6 and 18, which was read and ordered printed.

#### BILLS ON SECOND READING.

Senate File No. 20, a bill for an act to amend section 1717, chapter 9, title 12 of the Code of Iowa, so as to enable the boards of directors of district townships to procure highways to school-house sites, with report of committee recommending it do pass, was taken up and considered.

Senator Bills moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Van Buren, Garber, Greenlee, Hall, Henderson, Hunt, Hutchison, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, and Wilson—27.

The nays were:

Senators Clark of Page, Clark of Wayne, Dashiell, and Wall—4.

Absent or not voting:

Senators Boling, Brown of Keokuk, Cotton, Gillett, Graves, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Keller, Kamrar, Larabee, Logan, Marshall, Nichols of Muscatine, Shrader, Whaley, and Wright—19.

So the bill passed, and the title was agreed to.

House File No. 30, a bill for an act to amend section 3, chapter 159 of the acts of 1873, in relation to the printing and distribution of public documents, with report of committee recommending that it do pass, was taken up and considered.

Senator Hutchison moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Greenlee, Hall, Hemenway, Henderson, Hunt, Hutchison, Logan, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, and Wall—32.

The nays were—None.

Absent or not voting:

Senators Boling, Brown of Keokuk, Cotton, Gillett, Graves, Harmon, Hartshorn, Hebard, Johnson, Kamrar, Keller, Larrabee, Marshall, Nichols of Muscatine, Shrader, Whaley, Wilson, and Wright—18.

So the bill passed, and the title was agreed to.

Senate File No. 243, a bill for an act to legalize contracts made by school officers for the insurance of school buildings, and to legalize warrants or orders issued therefor, with report of committee recommending it do pass, was taken up and considered.

Senator Russell of Greene moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Van Buren, Clark of Page, Dashiell, Garber, Greenlee, Hall, Hemenway, Henderson, Hunt, Hutchison, Logan, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Smith, Sudlow, and Tirrill—30.

The nays were—None.

Absent or not voting.

Senators Boling, Brown of Keokuk, Clark of Wayne, Cotton, Gillett, Graves, Harmon, Hartshorn, Hebard, Johnson, Kamrar, Keller, Larrabee, Marshall, Nichols of Muscatine, Shrader, Wall, Whaley, Wilson, and Wright—20.

So the bill passed, and the title was agreed to.

Senate File No. 87, a bill for an act amending section 307 of the Code of 1873, in relation to publishing the proceedings of the board of supervisors, with report of committee recommending indefinite postponement, was taken up and considered.

The report of the committee was adopted.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 111, a bill for an act to increase the support fund of the Girls' Department of the Iowa Reform School.

House File No. 131, a bill for an act to fix the compensation of mayors of cities and incorporated towns in criminal cases prosecuted in behalf of the State.

House File No. 136, a bill for an act to amend section 1324, chapter 6, title 10 of the Code of 1873, relating to telegraphs.

House File No. 57, a bill for an act to create a State Educational Board of Examiners, and to encourage training in the science and art of teaching.

House File No. 207, a bill for an act to enable directors of independent school districts to insure school property.

House File No. 241, a bill for an act to repeal section 1739 of the Code of 1873, and to enact a substitute therefor.

Substitute for House File No. 91, a bill for an act to insure to children the benefits of elementary instruction.

Also, that the House has concurred in Senate amendment to House File No. 125, a bill for an act to repeal part of section 521, chapter 10, title 4 of the Code, and to enact a substitute therefor, relating to election of aldermen in cities of the first class.

A. W. RENSRAW, *Assistant Clerk.*

Senate File No. 99, a bill for an act to repeal section 307 of the Code and to enact a substitute therefor, in relation to publishing the proceedings of boards of supervisors, with report of the committee recommending it do pass, was taken up, and on motion of Senator Brown of Van Buren, adopted as a substitute for Senate File No. 87.

Senator Russell of Jones offered an amendment by adding after the words "paper published in a foreign language," in section 1, the following: "provided that the board of supervisors shall not be required to publish the proceedings and schedule in any paper having less than three hundred *bona fide* subscribers."

The amendment was adopted.

On motion of Senator Robison, the phrase "including the schedules of receipts and expenditures," was added after the word "said board" in section 1.

Senator Clark offered an amendment to section 1 by adding after the word "newspapers" the words "of different political parties."

On which question the yeas and nays were demanded.

The yeas were:

Senators Clark of Wayne, Dashiell, Henderson, Nichols of Guthrie, Smith, Wall, and Wilson—7.

The nays were:

Senator Abraham, Bills, Brown of Van Buren, Clark of Page, Greenlee, Hemenway, Hunt, Hutchison, Logan, Mitchell, Nichols of Benton, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Greene, Russell of Jones, Sudlow, and Tirrill—21.

Absent or not voting:

Senators Arnold, Baker, Boling, Brown of Keokuk, Cotton, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Johnson, Kamrar, Keller, Larrabee, Marshall, Nichols of Muscatine, Rothert, Shrader, Whaley, and Wright—22.

So the amendment was lost.

Senator Robinson proposed an amendment as section 2 of the bill, the following:

SECTION 2. The words "in at least one newspaper, if there be one, in the county, and if not, by posting on the court-house door" in the second, third, and fourth lines of section 304 of the Code, are hereby repealed.

The amendment was accepted.

Senator Russell of Greene moved to recommit the bill to the Committee on Printing.

Senator Brown of Van Buren moved to strike out the word "printing" and inserting the word "judiciary."

The motion to amend was lost.

The question recurring on the motion moved by Senator Russell, the same prevailed.

Senator Rotherth called up Senate joint resolution and memorial, relative to granting pensions to Union soldiers who were confined in Confederate prisons.

Senator Hutchison moved to recommit the resolution to the Committee on Federal Relations.

Senator Rotherth suggested as an amendment to the motion that the resolution pass on file.

The amendment was accepted, and the motion as amended was agreed to.

Senate File No. 130, a bill for an act to authorize certain cities to levy a special tax to purchase property for park purposes, and for the improvement of parks, was taken up for consideration, with the report of the committee recommending amendments by striking from the printed bill all after the word "State" in the second line of section 1, to the words "may by a vote" in the third line of said section; and by adding the words "or contiguous territory" after the word "city" in the sixth line thereof; and by striking from section 2, after the word "purposes" in the second line all to the words "but such tax" in the third line.

The committee recommend that section 3 be stricken out, together with the words "including that of taxation" at the end of section 4.

The amendments recommended by the committee were adopted.

Senator Smith moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Greenlee, Hall, Hemenway, Henderson, Hunt, Hutchison, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rotherth, Russell of Jones, Smith, Sudlow, Tirrill, and Wall—29.

The nays were—None.

Absent or not voting.

Senators Baker, Boling, Brown of Keokuk, Cotton, Gillett, Graves, Harmon, Hartshorn, Hebard, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Muscatine, Russell of Greene, Shrader, Whaley, Wilson, and Wright—21.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bill which has passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

House File No. 11, a bill for an act requiring boards of directors to set out trees on school-house grounds.

R. B. BAIRD, *Assistant Clerk.*

House File No. 241, a bill for an act to repeal section 1739 of the Code of 1873, and to enact a substitute therefor.

Substitute for House File No. 91, a bill for an act to insure to children the benefits of elementary instruction.

Also, that the House has concurred in Senate amendment to House File No. 125, a bill for an act to repeal part of section 521, chapter 10, title 4 of the Code, and to enact a substitute therefor, relating to election of aldermen in cities of the first class.

A. W. RENSHAW, *Assistant Clerk.*

Senate File No. 99, a bill for an act to repeal section 307 of the Code and to enact a substitute therefor, in relation to publishing the proceedings of boards of supervisors, with report of the committee recommending it do pass, was taken up, and on motion of Senator Brown of Van Buren, adopted as a substitute for Senate File No. 87.

Senator Russell of Jones offered an amendment by adding after the words "paper published in a foreign language," in section 1, the following: "provided that the board of supervisors shall not be required to publish the proceedings and schedule in any paper having less than three hundred *bona fide* subscribers."

The amendment was adopted.

On motion of Senator Robison, the phrase "including the schedules of receipts and expenditures," was added after the word "said board" in section 1.

Senator Clark offered an amendment to section 1 by adding after the word "newspapers" the words "of different political parties."

On which question the yeas and nays were demanded.

The yeas were:

Senators Clark of Wayne, Dashiell, Henderson, Nichols of Guthrie, Smith, Wall, and Wilson—7.

The nays were:

Senator Abraham, Bills, Brown of Van Buren, Clark of Page, Greenlee, Hemenway, Hunt, Hutchison, Logan, Mitchell, Nichols of Benton, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Greene, Russell of Jones, Sudlow, and Tirrill—21.

Absent or not voting:

Senators Arnold, Baker, Boling, Brown of Keokuk, Cotton, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Johnson, Kamrar, Keller, Larrabee, Marshall, Nichols of Muscatine, Rothert, Shrader, Whaley, and Wright—22.

So the amendment was lost.

Senator Robinson proposed an amendment as section 2 of the bill, the following:

SECTION 2. The words "in at least one newspaper, if there be one, in the county, and if not, by posting on the court-house door" in the second, third, and fourth lines of section 304 of the Code, are hereby repealed.

The amendment was accepted.

Senator Russell of Greene moved to recommit the bill to the Committee on Printing.

Senator Brown of Van Buren moved to strike out the word "printing" and inserting the word "judiciary."

The motion to amend was lost.

The question recurring on the motion moved by Senator Russell, the same prevailed.

Senator Rothert called up Senate joint resolution and memorial, relative to granting pensions to Union soldiers who were confined in Confederate prisons.

Senator Hutchison moved to recommit the resolution to the Committee on Federal Relations.

Senator Rothert suggested as an amendment to the motion that the resolution pass on file.

The amendment was accepted, and the motion as amended was agreed to.

Senate File No. 130, a bill for an act to authorize certain cities to levy a special tax to purchase property for park purposes, and for the improvement of parks, was taken up for consideration, with the report of the committee recommending amendments by striking from the printed bill all after the word "State" in the second line of section 1, to the words "may by a vote" in the third line of said section; and by adding the words "or contiguous territory" after the word "city" in the sixth line thereof; and by striking from section 2, after the word "purposes" in the second line all to the words "but such tax" in the third line.

The committee recommend that section 3 be stricken out, together with the words "including that of taxation" at the end of section 4.

The amendments recommended by the committee were adopted.

Senator Smith moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Greenlee, Hall, Hemenway, Henderson, Hunt, Hutchison, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, and Wall—29.

The nays were—None.

Absent or not voting.

Senators Baker, Boling, Brown of Keokuk, Cotton, Gillett, Graves, Harmon, Hartshorn, Hebard, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Muscatine, Russell of Greene, Shrader, Whaley, Wilson, and Wright—21.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bill which has passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

House File No. 11, a bill for an act requiring boards of directors to set out trees on school-house grounds.

R. B. BAIRD, *Assistant Clerk.*

By consent Senator Hall called up Senate File No. 210, a bill for an act legalizing an ordinance passed by the city council of the city of Burlington, November 8, 1880, providing for the construction and maintenance of sewers, etc.

The committee recommend that the bill do pass.

Senator Hall moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Bills, Brown of Van Buren, Clark of Page, Dashiell, Garber, Greenlee, Hall, Hemenway, Henderson, Hunt, Hutchison, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, and Wall—26.

The nays were—None.

Absent or not voting:

Senators Abraham, Baker, Boling, Brown of Keokuk, Clark of Wayne, Cotton, Gillett, Graves, Harmon, Hartshorn, Hebard, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Russell of Greene, Shrader, Whaley, Wilson and Wright—24.

So the bill passed, and the title was agreed to.

Senator Poyneer had leave to call up for consideration Senate File No. 125, a bill for an act to legalize defective acknowledgments to written instruments recorded in this State, with report of committee recommending as amendments that the words "duly recorded" in section 1, lines 5 and 6 thereof, be stricken out, and the words "admitted to record," be inserted in lieu thereof; also, the words "or elsewhere" in line 10 of said section 1 be stricken out, and when so amended it do pass.

The report of the committee was adopted.

Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Greenlee, Hall, Hemenway, Henderson, Hunt, Hutchison, Logan, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, and Wall—31.

The nays were—None.

Absent or not voting:

Senators Baker, Boling, Brown of Keokuk, Cotton, Gillett, Graves, Harmon, Hartshorn, Hebard, Johnson, Kamrar, Keller, Larrabee, Marshall, Nichols of Muscatine, Shrader, Whaley, Wilson, and Wright—19.

So the bill passed, and the title was agreed to.

Senator Clark of Page called up Senate File No. 179, a bill for an act to legalize the incorporation of the town of Braddyville and the corporate acts thereof and the acts of its officers. Committee recommend a substitute and that it do pass.

The resolution was adopted.

On motion of Senator Clark of Page, the eleventh rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Baker, Bills, Clark of Page, Clark of Wayne, Dashiell Garber, Greenlee, Hall, Hemenway, Henderson, Hunt, Hutchison, Logan, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Smith, Sudlow, Tirrill, and Wall—29.

The nays were—None.

Absent or not voting:

Senators Abraham, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Gillett, Graves, Harmon, Hartshorn, Hebard, Johnson, Kamrar, Keller, Larrabee, Marshall, Nichols of Muscatine, Russell of Jones, Shrader, Whaley, Wilson, and Wright—21.

So the bill passed, and the title was agreed to.

Senator Robinson moved that Senate File No. 231, a bill for an act to legalize the sale of school lands in Buena Vista county, be taken from the file and considered.

The motion prevailed.

Senator Robinson moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Van Buren, Clark of Page, Clark of Wayne, Garber, Greenlee, Hall, Hemenway, Henderson, Hunt, Hutchison, Logan, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, and Wall—31.

The nays were—None.

Absent or not voting:

Senators Boling, Brown of Keokuk, Cotton, Dashiell, Gillett, Graves, Harmon, Hartshorn, Hebard, Johnson, Kamrar, Keller, Larrabee, Marshall, Nichols of Muscatine, Shrader, Whaley, Wilson, and Wright—19.

So the bill passed, and the title was agreed to.

By consent, Senator Rothert called up Senate File No. 101, a bill for an act to legalize the incorporation of West Point, Lee county, Iowa.

On motion the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Van Buren, Clark of Page, Clark of Wayne, Garber, Hall, Hemenway, Henderson, Hunt, Hutchison, Logan, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Smith, Sudlow, Tirrill, and Wall—29.

The nays were—None.

Absent or not voting:

Senators Boling, Brown of Keokuk, Cotton, Dashiell, Gillett, Graves,



Greenlee, Harmon, Hartshorn, Hebard, Johnson, Kamrar, Keller, Larabee, Marshall, Nichols of Muscatine, Russell of Jones, Shrader, Whaley, Wilson, and Wright—21.

So the bill passed, and the title was agreed to.

Senate File No. 118, a bill for an act to amend section 3791 of the Code, relating to the compensation of county supervisors, was taken up, and, on motion of Senator Robinson, the report of committee recommending indefinite postponement was concurred in.

Senator Nichols of Guthrie moved that when the Senate adjourn it be until 2 o'clock of Tuesday next.

The motion was lost.

Senator Hall obtained the consent of the Senate to have Senate File No. 202, a bill for an act amendatory of the Code relative to taxing the shares of National banks taken from the files and ordered referred to the Judiciary Committee.

By consent, Senate File No. 29 was taken up and considered, a bill for an act to repeal section 4026 of the Code, and to enact a section in lieu thereof, making it a felony to keep gambling-house. Committee recommend that it be indefinitely postponed.

On motion of Senator Hutchison the report of the committee was adopted.

On motion, at 12:30 o'clock the Senate adjourned until 2 o'clock on Monday next.

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SENATE CHAMBER.  
DES MOINES, IOWA, February 27, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Senator Abraham.

The journal of Saturday was read and approved.

#### PETITIONS AND MEMORIALS.

Senator Robinson presented a petition asking for the enactment of such a law as will insure the destruction of the word known as "cockle-bur."

#### INTRODUCTION OF BILLS.

By Senator Hemenway, Senate File No. 265, a bill for an act to amend section 3327 of the Code, relating to the satisfaction of mortgages.

Read a first and second time and referred to the Judiciary Committee.

By Senator Rothert, Senate File No. 266, a bill for an act to repeal section 4783, chapter 2, title 26 of the Code, as amended by chapter 200 of the acts of the Eighteenth General Assembly, and to enact a substitute therefor, fixing the compensation of the officers of the penitentiary.

Read a first and second time and referred to the Committee on Penitentiary.

By Senator Cotton, Senate File No. 267, a bill for an act to repeal subdivision 4 of section 2354, and section 2316 of the Code of 1873, and to enact substitutes therefor, relating to the appointment of executors, administrators, guardians, and appraisers.

Read a first and second time and referred to the Judiciary Committee.

Also, Senate File No. 268, a bill for an act legalizing the appointment of executors, administrators, guardians, and appraisers, heretofore made by the clerks of the various Circuit Courts of the State.

Read a first and second time and referred to the Judiciary Committee.

By Senator Tirrill, Senate File No. 239, a bill for an act to appropriate money to purchase uniforms for the members of Company C, Fourth Regiment Iowa National Guards, and to provide for such purpose.

Read a first and second time and referred to the Committee on Military.

Senator Russell of Greene was excused from attendance for to-day.

#### REPORTS OF COMMITTEES.

Senator Hunt, from the Committee on Asylum for Feeble-Minded Children, submitted the following report:

MR. PRESIDENT—Your Committee on Asylum for Feeble-Minded Children, to whom was referred Senate File No. 67, a bill for an act to amend chapter 152, of the Sixteenth General Assembly, and chapter 164 of the Eighteenth General Assembly, and having reference to the maintenance and management of the Iowa Institution for Feeble-Minded Children, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that after the adoption of the following amendments it do pass (as shown in printed bill):

In section 2, line sixth, insert after words "six years" "and at least one of them shall be a resident of Mills county." Section 4, lines six and seven, strike out all after the word "board" referring to the county auditor. Section 5, line four, after "president" strike out the words "and other treasurer"; and after "elect" strike out the words "some person" and insert "a"; and after the word "secretary" insert "and treasurer"; fifth line, strike out "one of their members" and insert "members of the board"; seventh line, after "secretary" insert "treasurer if not a member of the board"; tenth line, strike out "and places"; eleventh line, after the word "be" insert "\$4 per day for time actually employed and." Section 6, first line, after the word "State" insert "between the ages of five and eighteen years of age." Section 7, line two, insert "eighteen" instead of "two" years. Section 10, seventh and eighth lines, insert "auditor" in place of "treasurer."

C. B. HUNT, *Chairman.*

Ordered passed on file.

Senator Rothert, from the Special Committee appointed to visit the Institution for the Deaf and Dumb at Council Bluffs, made a report which was ordered printed and referred to the Committee on Deaf and Dumb.

## HOUSE MESSAGES.

On motion of Senator Russell of Jones, House messages were taken up.

House File No. 111, a bill for an act to increase the support fund of the Girls' Department of the Iowa Reform School.

Read a first and second time and referred to the Committee on Reform Schools.

House File No. 131, a bill for an act to fix the compensation of mayor of cities or incorporated towns in criminal cases, prosecuted in behalf of the State.

Read a first and second time and referred to the Committee on Municipal Corporations.

House File No. 136, a bill for an act to amend section 1324, chapter 6, of the Code of 1873, relating to telegraphs.

Read a first and second time and referred to the Committee on Ways and Means.

Senate File No. 57, a bill for an act to create a State Educational Board of Examiners, and to encourage training in the science and art of teaching.

Read a first and second time and referred to the Committee on Schools.

House File No. 207, a bill for an act to enable boards of directors of independent school districts to insure school property.

Read a first and second time and referred to the Committee on Schools.

Senate File No. 241, a bill for an act to repeal section 1739 of the Code, and enact a substitute therefor.

Read a first and second time and referred to the Committee on Schools.

Substitute for House File No. 91, a bill for an act to insure to children the benefits of elementary instruction.

Read a first and second time and referred to the Committee on Schools.

House File No. 159 was read a first and second time and referred to the Committee on Railways.

The time for the special order having arrived, it being a bill for an act to establish a Dental Department at the State University, was taken from the file, considered, and on motion ordered passed on file.

Substitute for House File No. 252, a bill for an act to legalize the incorporation of the town of Aurelia, Cherokee county, Iowa, was read a first and second time and referred to the Committee on Judiciary.

## BILLS ON SECOND READING.

\* Senate File No. 248, a bill for an act requiring the cost of paving street and alley intersections in certain cities to be paid out of a general paving fund and authorizing the levy of a special tax therefor with report of the committee recommending that it be amended in section 1, the fifth line of the original bill, by inserting after the word "State" therein, the words "including cities acting under special charters therein"; and in section 5, first line thereof after the word "organ-

ized" insert the words "or acting"; and in the fourth line of said section 5, after the word "streets" therein, insert the words "and alleys" and when so amended that the bill do pass.

The amendments as recommended by the committee were adopted.

Senator Smith offered an amendment by adding to section 1 the following: *Provided*, Nothing herein contained shall prevent the councils of said cities from requiring railroads and street railways to pave any portion of said intersections."

The amendment was adopted.

Senator Smith moved that the rule be suspended, and the bill be read a third time, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Dashiell, Garber, Greenlee, Hall, Hemenway, Hunt, Hutchison, Kamrar, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Wall, and Wilson—33.

The nays were—None.

Absent or not voting:

Senators Boling, Clark of Page, Gillett, Graves, Harmon, Hartshorn, Hebard, Henderson, Johnson, Keller, Larrabee, Nichols of Guthrie, Poyneer, Russell of Greene, Shrader, Whaley, and Wright—17.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills and joint resolutions, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

House File No. 125, a bill for an act to legalize acknowledgments of conveyances by power of attorney, made by John W. McMillan, attorney-in-fact for Robert M. Wingate.

House File No. 152, a bill for an act to repeal part of section 521, chapter 10, title 4 of the Code, and enact a substitute therefor, relating to the election of aldermen in cities of the first class.

Joint resolution and memorial of the General Assembly of the State of Iowa relating to the Des Moines River Lands.

Joint resolution relative to bridging the Missouri River above Omaha.

E. C. HAYNES, *Chief Clerk*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 159, a bill for an act to protect railway passengers and others from annoyance and disturbance by rowdies and intoxicated persons.

Substitute for House File No. 252, a bill for an act to legalize the incorporation of the town of Aurelia, Cherokee county, Iowa.

E. C. HAYNES, *Chief Clerk.*

Leave of absence for to-day was asked for Senators Boling, Gillett, and Poyneer.

Leave was granted.

Senate File No. 164, a bill for an act to amend section 1659 of the Code of 1873, with report of committee recommending that it do pass, was taken up and considered.

Senator Brown moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Dashiell, Garber, Greenlee, Hall, Hemenway, Hunt, Hutchison, Kamrar, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Wall, and Wilson—33.

The nays were—None.

Absent or not voting:

Senators Boling, Clark of Page, Gillett, Graves, Harmon, Hartshorn, Hebard, Henderson, Johnson, Keller, Larrabee, Nichols of Guthrie, Poyneer, Russell of Greene, Shrader, Whaley, and Wright—17.

So the bill passed, and the title was amended, on motion of Senator Brown of Keokuk, by adding thereto the words "in relation to the admission of pupils to the Reform School," and when thus amended the title was agreed to.

Senate File No. 94, a bill for an act to repeal section 764, chapter 7, title 5, Code, in relation to the removal and suspension from office of county and township officers, and to enact a substitute, with report of committee recommending it do pass, was taken up for consideration.

Senator Kamrar moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Dashiell, Garber, Greenlee, Hall, Hemenway, Hunt, Hutchison, Kamrar, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Wall, and Wilson—33.

The nays were—None.

Absent or not voting:

Senators Boling, Clark of Page, Gillett, Graves, Harmon, Hartshorn, Hebard, Henderson, Johnson, Keller, Larrabee, Nichols of Guthrie, Poyneer, Russell of Greene, Shrader, Whaley, and Wright—17.

So the bill passed, and the title was agreed to.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution in which the concurrence of the Senate is asked:

Joint resolution to amend article 11, section 1 of the Constitution of the State of Iowa, and to provide for its reference and publication.

Also, that the House has concurred in Senate joint resolution and memorial relative to the construction of the Hennepin and Rock Island Canal.

A. W. RENSHAW, *Second Assistant Clerk.*

Senate File No. 133, a bill for an act to amend sections 2077 and 2078, and to repeal sections 2079, 2080, and 2081 of the Code, relating to the rate of interest, was taken up, with report of committee recommending indefinite postponement.

The report of the committee was adopted.

Senate File No. 127, a bill for an act entitled "An act to prohibit corporal punishment in public schools," was taken from the file, with report of committee recommending that the bill be indefinitely postponed.

The report of the committee was adopted.

Senate File No. 146, a bill for an act to repeal sections 1, 2, 3, 4, 5, and 6, of chapter 168, laws of the Eighteenth General Assembly relating to the Commissioner of Immigration, with report of committee recommending amendments by striking out the words "all of sections Nos. 1, 2, 3, 4, 5, and 6 of," in the first line of section 1; and by striking out the word "are," in third line of section 1, and substituting the words "the same is"; and as so amended that it do pass.

The report of the committee was adopted.

Senator Russell of Jones moved to strike out section 2, being the publication clause.

The motion prevailed.

Senator Russell of Jones moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Dashiell, Greenlee, Hemenway, Hutchison, Kamrar, Logan, Marshall, Mitchell, Nichols of Muscatine, Parker, Prizer, Russell of Jones, Smith, Sudlow, Tirrill, and Wall—24.

The nays were:

Senators Garber, Hunt, Nielander, Patrick, Robinson, Rothert, and Wilson—7.

Absent or not voting:

Senators Boling, Clark of Page, Gillett, Graves, Hall, Harmon, Harts-horn, Hebard, Henderson, Johnson, Keller, Larrabee, Nichols of Benton, Nichols of Guthrie, Poyneer, Russell of Greene, Shrader, Whaley, and Wright—19.

So the bill passed, and the title was agreed to.

Senate File No. 171, a bill for an act to amend chapter 95, laws of the Sixteenth General Assembly, with the report of committee recommending it do pass, was taken up and considered.

Senator Tirrill moved to insert the figures "2,500" instead of "3,000," in the fourth line of section 1, which was agreed to.

Senator Baker moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Dashiell, Garber, Greenlee, Hall, Hemenway, Hunt, Hutchison, Kamrar, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Wall, and Wilson—33.

The nays were—None.

Absent or not voting:

Senators Boling, Clark of Page, Gillett, Graves, Harmon, Hartshorn, Hebard, Henderson, Johnson, Keller, Larrabee, Nichols of Guthrie, Poyneer, Russell of Greene, Shrader, Whaley, and Wright—17.

So the bill passed, and the title was agreed to.

Senate File No. 129, with report of committee recommending amendments, was taken up and considered.

The first amendment proposed was adopted.

Senator Hemenway moved to amend section 1 by inserting after the word "tax," in the second line, the words "itinerant doctors, physicians, and surgeons."

The motion prevailed and the amendment was adopted.

Senator Logan moved to amend by inserting the word "lawyers" after the word "surgeons," in the last amendment.

The yeas and nays were demanded on the question shall the amendment be adopted, and

The yeas were:

Senators Clark of Wayne, Logan, Rothert, and Sudlow—4.

The nays were:

Senators Abraham, Arnold, Bills, Brown of Keokuk, Brown of Van Buren, Cotton, Dashiell, Garber, Greenlee, Hemenway, Hunt, Hutchison, Kamrar, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Russell of Jones, Smith, Tirrill, Wall, and Wilson—27.

Absent or not voting:

Senators Baker, Boling, Clark of Page, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Henderson, Johnson, Keller, Larrabee, Nichols of Guthrie, Poyneer, Russell of Greene, Shrader, Whaley, and Wright—19.

So the amendment was not adopted.

Section 1 of the bill as amended was adopted.

Section 2, as amended by the committee, was adopted.

Section 3, as amended, was adopted.

Section 4 was adopted without amendment.

Section 5, as amended by the committee, was adopted.

Section 6 was stricken from the bill.

Senator Brown of Keokuk moved to amend section 7 by striking out the word "and" in first line and insert the word "or" instead.

The motion prevailed, and section 7, as amended, was adopted.

Section 8 was adopted without amendment.

Senator Brown of Keokuk moved to strike out section 9.

The motion was lost.

Senator Smith moved to amend section 9 by inserting after the word "within" in first line "the fire limits of."

The amendment was adopted.

Senator Hall moved to strike out section 9 and insert the following in lieu thereof:

SECTION 9. To provide by ordinance for the inspection of plans for the erection of buildings and the issuance of permits therefor, and to prohibit the erection of buildings which are insecure or defective and dangerous to contiguous property or the public.

The amendment was adopted, and section 9 as amended by the substitute was adopted.

Sections 10 and 11 were adopted.

Senator Smith moved that the bill with amendments be passed on file and ordered printed.

The motion prevailed.

Senator Kamrar moved to adjourn. Carried.

At 5 o'clock the Senate adjourned till 9:30 A. M. to-morrow.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 28, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. J. A. Nash.

The journal of yesterday was read and approved.

#### PETITIONS AND MEMORIALS.

Senator Greenlee had read a communication from G. M. Hammond, of Marion county, deploring the want of a legislature willing to enact a sufficient herd law and a law for the extermination of dogs.

Senator Baker presented a petition from citizens of Winneshiek county, praying for an amendment to the Constitution so as to establish the equal political rights of all citizens of the State irrespective of sex.

Referred to the Committee on Constitutional Amendments.

By Senator Tirrill, a petition was offered asking for a change in the law relative to the incarceration of persons in the Insane Asylum.



## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

Substitute for House File No. 59, a bill for an act entitled an act to amend section 289, chapter 1, title 4 of the Code of Iowa, as amended by chapter 183 of the acts of the Eighteenth Assembly, relating to the bonding of county indebtedness.

E. C. HAYNES, *Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

Joint resolution proposing amendments to the Constitution, and providing for their reference and publication.

*Be it resolved by the General Assembly of the State of Iowa, That the following amendments to the Constitution of the State be and the same are hereby proposed:*

*Amendment 1.* The general election for State, district, county, and township officers shall be held on the Tuesday next after the first Monday in November.

*Amendment 2.* At any regular session of the General Assembly the State may be divided into the necessary judicial districts for District Court purposes, or the said districts may be reorganized and the number of the districts and the judges of said courts increased or diminished; but no reorganization of the districts, or diminution of the judges, shall have the effect of removing a judge from office.

*Amendment 3.* The grand jury may consist of any number of members, not less than five nor more than fifteen, as the General Assembly may by law provide; or the General Assembly may provide for holding persons to answer for any criminal offense without the intervention of a grand jury.

*Amendment 4.* That section 13, of article 5 of the Constitution be stricken therefrom, and the following adopted as such section:

SEC. 13. The qualified electors of each county shall, at the general election in the year 1886, and every two years thereafter, elect a county attorney, who shall be a resident of the county for which he is elected, and who shall hold his office for two years, and until his successor shall have been elected and qualified.

The foregoing proposed amendments to the Constitution of the State of Iowa be and the same are hereby referred to the legislature to be chosen at the next general election of the members of the General Assembly, and that the Secretary of State cause the same to be published for three months, next prior to the day of such election, in at least two weekly newspapers in each congressional district in the State.

E. C. HAYNES, *Clerk.*

## INTRODUCTION OF BILLS.

By Senator Larrabee, Senate File No. 270, a bill for an act dividing the State into congressional districts.

Read a first and second time, ordered printed, and referred to the Committee on Congressional Districts.

By Senator Brown of Keokuk, Senate File No. 271, a bill for an act apportioning the State of Iowa into senatorial districts.

Read a first and second time, ordered printed, and referred to the Committee on Senatorial Districts.

By Senator Hall, Senate File No. 272, a bill for an act appropriating \$500 for the relief of John J. Golden.

Read a first and second time.

Senator Hall moved that the rule be suspended, and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Dashiell, Gillett, Greenlee, Hall, Harmon, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Rother, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—42.

The nays were—None.

Absent or not voting:

Senators Clark of Page, Garber, Graves, Hartshorn, Hebard, Johnson, Poyneer, and Russell of Greene—8.

So the bill, having received a two-thirds majority, was declared to have passed, and the title was agreed to.

Senators Garber and Poyneer were excused from attendance until to-morrow.

By Senator Henderson, Senate File No. 273, a bill for an act to prevent and punish the adulteration of articles of food, drink, and medicine, and the sale thereof when adulterated, and to prevent and punish the sale of certain inferior fabrics when represented as genuine.

Read a first and second time and referred to the Committee on Medicine, Surgery, and Hygiene.

## RESOLUTIONS.

Senator Garber offered a resolution as follows, which was adopted:

## CONCURRENT RESOLUTION.

*Be it resolved by the Senate, the House concurring,* That the Secretary of State be requested to have printed for distribution one thousand and five hundred copies of the map of Iowa, showing the population by counties as shown by the census of 1880.

Senator Nichols of Guthrie presented the following joint resolution:

Memorial and joint resolution relative to the securing pensions to

the survivors of the soldiers taking part in behalf of the United States in the Mexican War.

WHEREAS, The benefits accruing to the United States and civilization by the result of the Mexican War, are incalculable and permanent; and,

WHEREAS, The brave soldiers by whose heroic achievements these results have been accomplished, merit the lasting gratitude of the American people; and,

WHEREAS, While we may do no more than revere the memory of the dead, we may, by timely though inadequate assistance, render less humiliating and painful the few remaining years permitted to the survivors of that conflict who fought in behalf of the United States, many of whom are now in necessitous circumstances; therefore,

*Be it resolved by the Senate and House of Representatives*, That our Senators be instructed and our Representatives requested to take the proper and necessary steps to secure the passage, at as early a day as practicable, of an act of Congress granting pensions to such survivors.

*Resolved further*, That the Governor of this State be and is hereby respectfully requested to transmit a copy of this memorial and these resolutions to each of our Senators and Representatives in Congress.

Read a first and second time, ordered printed, and referred to the Committee on Federal Relations.

The following joint resolution was offered by Senator Nichols of Benton.

#### JOINT RESOLUTION

declaratory of the construction of the proposed Constitutional amendment prohibiting the manufacture and sale of intoxicating liquors as a beverage within this State.

WHEREAS, Doubts have arisen as to whether such proposed amendment, if adopted, will prohibit the manufacture and sale of intoxicating liquors absolutely, or whether it will only prohibit the manufacture for sale as a beverage, the selling or keeping for sale as a beverage, permitting the manufacture and sale for all other purposes; and,

WHEREAS, It is desirable that when such proposed amendment is submitted to the people, its construction should be as definite and certain as possible; therefore,

*Be it resolved*, That the proposed amendment to the Constitution to be known as section 26 of article 1, is hereby construed to mean that no person shall manufacture for sale *as a beverage*; or sell or keep for sale as a beverage any intoxicating liquor whatever in this State, including ale, wine, and beer, and that it does not, nor is it intended to prohibit the manufacture and sale for all other purposes.

Senator Arnold moved to refer the resolution to the Committee on Suppression of Intemperance.

Senator Nichols of Benton moved to amend the motion by instructing the committee to report to-morrow morning.

Senator Arnold moved to postpone the further consideration of the resolution until to-morrow at 10 o'clock, to be taken up with the special order set for that hour.

The motion prevailed.

The resolution was ordered printed.

Senator Gillett offered the following resolution, which was adopted:  
*Resolved*, That the Secretary of the Senate is hereby requested to distribute to Senators copies of printed House bills.

Senator Hall offered the following concurrent resolution:

*Resolved by the Senate, the House concurring*, That the Executive Council and the Attorney-general are hereby authorized and empowered to settle and compromise any judgment or judgments obtained against Seth Craig, late warden of the Penitentiary at Fort Madison, and his sureties, and against other parties growing out of his administration; also, to settle and dismiss any suits now pending against parties growing out of his administration; the same to be done upon such terms as to said Executive Council and the Attorney-general may seem advisable and to the interests of the State.

Senator Larrabee moved that the resolution be referred to the Committee on Claims, which motion prevailed.

#### INTRODUCTION OF BILLS.

Senator Rothert, by leave, introduced Senate File No. 274, a bill for an act to repeal section 4712 of the Code of Iowa, relating to the pardoning power and to enact a substitute therefor.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Hemenway, Senate File No. 275, a bill for an act to amend certain sections of the Code.

Read a first and second time and referred to the Committee on Schools.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill without amendment:

Substitutes for Senate Files Nos. 10 and 14, House File No. 19, bills for an act to amend chapter 143 of the acts of the Sixteenth General Assembly, entitled an act to provide for establishing superior courts in cities of certain grade relating to cities and incorporated towns.

E. C. HAYNES, *Clerk*.

#### REPORTS OF COMMITTEES.

Senator Marshall, from the Committee on Reform School, submitted the following report:

MR. PRESIDENT—Your Committee on Reform School, to whom was referred House File No. 111, a bill for an act to increase the support fund of the Girls' Department of the Iowa Reform School, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. MARSHALL, *Chairman*.

Ordered passed on file.

Senator Dashiell, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 242, a bill for an act to suppress the sale of intoxicating liquors at agricultural fairs, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. A. DASHIELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 224, a bill for an act to provide a minimum tax to be collected of persons engaged in the sale of wine, beer, or alcoholic beverages, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. A. DASHIELL, *Chairman*.

Ordered passed on file.

Senator Prizer, from the Committee on Banks and Banking, submitted the following report:

MR. PRESIDENT—Your Committee on Banks and Banking, to whom was referred Senate File No. 216, a bill for an act to amend chapter 60, public laws of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

PRIZER, *Chairman*.

Ordered passed on file.

#### BILLS ON SECOND READING.

Senate File No. 129, a bill for an act granting additional powers to cities organized under the general incorporation laws of the State, was taken up, and, on motion of Senator Smith, made the special order for to-day at fifteen minutes before 12 o'clock.

Senate File No. 153, a bill for an act amending section 1, chapter 149 of the acts of the Seventeenth General Assembly, providing for an increase of guards at the Additional Penitentiary at Anamosa, with report of committee recommending it do pass, was taken up and considered.

Senator Robinson moved to amend the bill by adding after the word "time," in the third line of section 1, the phrase "when the Warden shall deem that number necessary."

The motion was adopted.

Senator Wilson moved that the rule be suspended, and bill read a third time now.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Billa, Boling, Brown of Keokuk, Cotton, Dashiell, Graves, Greenlee, Hall, Harmon, Hemenway, Henderson,

Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—39.

The nays were:

Senator Clark of Wayne—1.

Absent or not voting:

Senators Baker, Brown of Van Buren, Clark of Page, Garber, Gillett, Hartshorn, Hebard, Johnson, Poyneer, and Russell of Greene—10.

So the bill passed, and the title was agreed to.

Senate File No. 168, a bill for an act to regulate the keeping of saloons in places not cities or incorporated towns, with report of committee recommending that it do pass, was taken up and considered.

Senator Hemenway moved that the rule be suspended, and the bill be read a third time now.

The bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Dashiell, Gillett, Graves, Greenlee, Harmon, Hemenway, Hunt, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Prizer, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—37.

The nays were:

Senator Nielander—1.

Absent or not voting:

Senators Baker, Clark of Page, Garber, Hall, Hartshorn, Hebard, Henderson, Hutchison, Johnson, Poyneer, Rothert, and Russell of Greene—12.

So the bill passed, and the title was agreed to.

Leave of absence for to-day was asked for Senator Kamrar.

Leave was granted.

Senate File No. 83, a bill for an act to amend chapter 151, laws of the Eighteenth General Assembly, in relation to the State Board of Health and vital statistics, with report of committee proposing a substitute, was taken up, considered, and on motion passed on file.

The time for the special order having arrived, being Senate File No. 129, it was taken up for consideration.

Senator Smith moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On motion of Senator Cotton, the vote by which the bill was ordered to a third reading was reconsidered.

The question being on the motion moved by Senator Smith, the motion was lost.

Senator Cotton moved to amend by striking from the third line of section 1 the words, "and retail vendors of fresh meats," which motion was not agreed to.

The commas after the word "doctors" and after the word "physicians" were stricken out.

All of the seventh section after the word "materials" was stricken out on motion of Senator Hall, and the following was substituted in lieu thereof: "and to prescribe the necessary means and regulations to secure the public against accidents and injuries therefrom, and to assess the cost and expense of such proceedings against the property and owners thereof."

Senator Smith moved that the rule be suspended, and the bill be read a third time.

The bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Baker, Bills, Boling, Brown of Van Buren, Clark of Wayne, Cotton, Dashiell, Graves, Greenlee, Hall, Harmon, Hemenway, Hunt, Hutchison, Keller, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Rothert, Shrader, Smith, Sudlow, Tirrill, Wall, and Wright—32.

The nays were:

Senators Abraham, Gillett, Marshall, Russell of Jones, and Wilson—5.

Absent or not voting:

Senators Brown of Keokuk, Clark of Page, Garber, Hartshorn, Hebard, Henderson, Johnson, Kamrar, Larrabee, Logan, Poyneer, Russell of Greene, and Whaley—13.

So the bill passed, and the title was agreed to.

At 12:30 o'clock the Senate ajourned until to-morrow at 9:30 o'clock A. M.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 1, 1882. }

The Senate convened pursuant to adjournment, and was called to order by the President.

Prayer by Rev. L. A. Johnson.

The journal of yesterday was read and approved.

#### INTRODUCTION OF BILLS.

By Senator Robinson, Senate File No. 276, a bill for an act to repeal section 1732 of the Code relating to duties of boards of directors in district townships and to enact a substitute.

Read a first and second time and referred to the Committee on Schools.

Also, Senate File No. 277, a bill for an act to repeal sections 1784 and 1785 of the Code, relating to duties of county treasurers and to enact substitutes therefor.

Read a first and second time and referred to the Committee on Schools.

By Senator Dashiell, Senate File No. 278, a bill for an act to amend section 165, chapter 5, title 3 of the Code of 1873, relative to requiring judges to give notice of the time for holding probate court.

Read a first and second time, and referred to the Committee on Judiciary.

By Senator Logan, Senate File No. 279, a bill for an act to legalize the change of boundary between the independent districts of Mt. Vernon and Harris Grove, township 78, range 43, Harrison county, Iowa.

Read a first and second time and referred to the Committee on Schools.

#### REPORTS OF COMMITTEES.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 257, a bill for an act to provide for payment of Railroad Commissioners' tax directly into the State treasury, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out all of section 1 after the enacting clause, and inserting the following, and thus amended that it do pass: "That section 8, of chapter 77, of laws of the Seventeenth General Assembly is hereby amended by striking out all of said section after the word "State" in the sixth line and inserting the following: the Executive Council shall at or before its annual meeting on the second Monday in July in each year, determine the amount required to be paid by each railroad company, to meet the sum certified by the Board of Commissioners and shall levy the same upon the property of the railroad companies in the State, and shall notify each company of such levy, and said tax shall be paid by the railroad companies into the State Treasury."

WM. LARRABEE, *Chairman.*

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 191, a bill for an act providing for the selection of police judges in cities of the second class, and defining their powers and duties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 155, a bill for an act to make the printed copies of the ordinances of Fort Dodge, Webster county, Iowa, primary evidence of such ordinances and to legalize and validate the same, beg leave to report that they have had the same under con-



sideration, have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 94, a bill for an act authorizing cities acting under special charters and having a population in excess of twenty-two thousand inhabitants, to levy special taxes to establish and maintain paid fire departments, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 131, a bill for an act to fix the compensation of mayors of cities and incorporated towns, in criminal cases prosecuted in behalf of the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Senator Wright, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 229, a bill for an act making additional requirements of coroners before issuing warrants to hold inquests, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out in the second and third lines of section 1 the words "beyond a reasonable doubt of a probability of" and insert in lieu thereof the words "whether there is a reasonable cause to believe that"; also strike out the word "coming," in the fifth line of section 1, and insert in lieu thereof the word "come"; and when so amended it do pass.

GEO. F. WRIGHT, *Chairman pro tem*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 24, a bill for an act to amend sections 2117, 2119, and 2128 of the Code, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that the title thereto be amended by adding the words "in relation to the assignment of creditors"; also that section 1 thereof be stricken out and the following be inserted in lieu thereof:

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That section 2117 of the Code be amended by inserting after the words "and such assignment," in the fifth and sixth lines, the words "shall invest the assignee with the title to all the property

of the assignor, except such as is exempt from execution at the time of making the assignment, and shall confer upon him all the rights of existing creditors, and shall include all property transferred by the debtor in fraud of creditors and in violation of the laws of the State; and such assignee shall have on behalf of the creditors the same rights as would an attaching creditor to sue for or recover all property, or its value, which is liable to execution.

And when so amended it do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for Senate File No. 275, a bill for an act to legalize the reorganization and incorporation of the town of Princeton, Scott county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that said substitute do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 39, a bill for an act relating to the trial of equitable actions, amending section 2742, chapter 9, title 17 of the Code of Iowa, as amended by chapter 145, laws of the Seventeenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that as amended by the House it do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 153, a bill for an act to legalize the acknowledgments taken and certified by Isaiah Doane, mayor of the incorporated town of Webster City, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Senator Rothert, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House File No. 159, a bill for an act to protect railway passengers and others from annoyance and disturbance by rowdies and intoxicated persons, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

Senator Nichols of Benton, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was re-

ferred Senate File No. 56, a bill for an act to amend section 3 of chapter 210, of laws of the Eighteenth General Assembly, relating to the method of cancellation of fire insurance policies, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out of section 1, the words as follows: "also the following words, commencing and following after the word 'rates' in the third line; namely, 'including the expense of taking the risk,'" and that when the bill is so amended that it do pass.

J. D. NICHOLS, *Chairman*.

Ordered passed on file.

Senator Dashiell, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 441, a bill for an act relating to the sale of intoxicating liquors by registered pharmacists, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

M. A. DASHIELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 240, a bill for an act to amend section 463 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. A. DASHIELL, *Chairman*.

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 30, an act to amend section 3, chapter 159, acts of 1876, relative to printing for distribution.

House File No. 101, an act to legalize the incorporation, of the town of West Point, Lee county, Iowa.

Senate Files Nos. 10 and 14, and House File No. 19, an act to amend chapter 143, of the acts of the Sixteenth General Assembly, entitled an act to provide for establishing Superior Courts in cities of a certain grade, relating to cities and incorporated towns.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House.

Senate File No. 151, a bill for an act to legalize the sale of certain land by the State University.

Senate File No. 205, a bill for an act to legalize the conveyance of certain land to the Logan Cemetery Association by the Blair Town Lot and Land Company, and to legalize the organization and acts of said Logan Cemetery Association.

R. B. BAIRD, *Assistant Clerk*.

SPECIAL ORDER.

The hour for the special order having arrived it being the consideration of the proposed constitutional amendment, relative to prohibiting the manufacture for sale as a beverage of intoxicating liquors, including ale, wine, and beer,

Senator Boling moved that the special order be taken up and considered.

Senator Nichols of Benton moved as amendment that the joint resolution introduced by himself on yesterday, relative to the construction of the proposed amendment, and which was also postponed to this hour, be taken from the file and considered first.

On which motion the yeas and nays were demanded, and

The yeas were:

Senators Baker, Bills, Clark of Wayne, Cotton, Garber, Graves, Hall, Hebard, Henderson, Keller, Larrabee, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Prizer, Rothert, Shrader, Smith, and Wright—20.

The nays were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Gillett, Greenlee, Harmon, Hartsborn, Hemenway, Hunt, Hutchison, Kamrar, Logan, Marshall, Nichols of Muscatine, Parker, Patrick, Poyneer, Robinson, Russell of Jones, Sudlow, Tirrill, Wall, Whaley, and Wilson—28.

Absent or not voting:

Senators Johnson and Russell of Greene—2.

So the motion was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

Substitute for House File No. 105, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of West McGregor, Clayton county, Iowa.

E. C. HAYNES, *Clerk*.

Senator Nichols of Benton obtained leave to take up said resolution for amendment only.

Senator Nichols of Benton move that the word "joint" be stricken from the resolution and the word "concurrent" inserted in its place:

On which question the yeas and nays were demanded, and

The yeas were:

Senators Baker, Bills, Brown of Van Buren, Clark of Wayne, Cot-

ton, Garber, Graves, Greenlee, Hall, Harmon, Hebard, Henderson, Hunt, Keller, Mitchell, Nichols of Benton, Nielander, Poyneer, Shrader, Smith, Tirrill, and Wright—22.

The nays were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Clark of Page, Dashiell, Hartshorn, Hemenway, Hutchison, Kamrar, Larrabee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Prizer, Robinson, Rothert, Sudlow, Wall, Whaley, and Wilson—24.

Absent or not voting:

Senators Gillett, Johnson, Russell of Greene, and Russell of Jones—4.

So the motion was lost.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate Files Nos. 10 and 14, and House File No. 19, bills for an act to amend chapter 143 of the acts of the Sixteenth General Assembly, entitled "An act to provide for establishing superior courts in cities of a certain grade," relating to cities and incorporated towns.

T. E. CLARK, *Chairman*.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and have been duly enrolled, and signed by the Speaker of the House:

House File No. 30, a bill for an act to amend section 3, chapter 159 of the acts of 1876, in relation to the printing and distribution of public documents.

House File No. 101, a bill for an act to legalize the incorporation of the town of West Point, Lee county, Iowa.

E. C. HAYNES, *Clerk*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

House joint resolution proposing to amend section 1, article 2 of the Constitution of the State of Iowa.

*Be it resolved by the General Assembly of the State of Iowa, That the following amendment to the Constitution of the State of Iowa be and the same is hereby proposed:*

*To strike out the word "male" from section 1, article 2 of said Constitution. Resolved, further, That the foregoing proposed amendment to the Constitution be and the same is hereby referred to the legislature to be chosen at the next general election for members of the General Assembly, and that the Secretary of State cause the same to be published for three months previous to the day of said election, as provided by law.*

Also, that the House has passed, without amendment, Senate File

No. 225, a bill for an act to repeal section 487 of the Code, and enact a substitute in lieu thereof in relation to poll-tax.

House File No. 419, a bill for an act to appropriate money to pay T. Whiting for lease of property to Girls' Department of the Reform School.

E. C. HAYNES, *Clerk.*

Senator Nichols of Benton moved to amend the resolution by inserting after the word "resolved." the words "by the Senate, the House concurring."

Senator Hemenway moved to postpone further consideration of the question relative to the resolution offered by Senator Nichols until after the consideration of the proposed Constitutional amendment, and that said resolution be made a special order to be considered immediately after the question upon the proposed Constitutional amendment shall be disposed of.

On which question the yeas and nays were demanded.

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, and Wilson—36.

The nays were:

Senators Baker, Clark of Wayne, Hall, Hebard, Henderson, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Rothert, Shrader, and Wright—12.

Absent or not voting:

Senators Johnson and Russell of Greene—2.

So the resolution was postponed.

The question recurring upon the motion moved by Senator Boling, the same prevailed.

Senator Bills offered as an amendment to the pending resolution the following:

WHEREAS, The Eighteenth General Assembly of the State of Iowa did, in due form, by a majority of the members elected to each of the two houses, agree to a proposed amendment to the Constitution of this State to add as section 26, to article 1 of said Constitution the following:

SECTION 26. No person shall manufacture for sale or sell or keep for sale as a beverage any intoxicating liquors whatever, including ale, wine, and beer. The General Assembly shall by law prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provisions hereof.

And the said proposed amendment was entered on the journals of said houses and was referred to the legislature to be chosen at the next general election, and the same having been published as provided by law; therefore,

*Be it resolved by the General Assembly of the State of Iowa, That it is hereby agreed that the following amendment to the Constitution*

of the State of Iowa be and the same is hereby submitted to the people of the State of Iowa to be approved and ratified or rejected by a vote of the qualified electors of said State; that is to say, add as section 26, to article 1, of said Constitution, the following:

SECTION 26. No person shall manufacture for sale or sell or keep for sale as a beverage any intoxicating liquors whatever, including ale, wine, and beer.

The General Assembly shall, by law, prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provisions thereof.

Senator Greenlee moved that when the Senate adjourn it be until 3 o'clock P. M.

The motion was agreed to.

On motion of Senator Nichols of Muscatine the time of adjournment was extended fifteen minutes.

At twelve o'clock and forty-five minutes the Senate adjourned until 3 o'clock P. M.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
DES MOINES, IOWA, March 1, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

The question being on the adoption of the amendment offered by Senator Bills, the yeas and nays were demanded, and

The yeas were:

Senators Baker, Bills, Garber, Graves, Henderson, Keller, Larrabee, Nichols of Benton, Nielander, Rothert, and Wright—11.

The nays were:

Senators Arnold, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Kamrar, Logan, Marshall, Mitchell, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, and Wilson—33.

Absent or not voting:

Senators Abraham, Hebard, Johnson, Nichols of Guthrie, Russell of Greene, and Shrader—6.

So the amendment was lost.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bill, which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Substitute for Senate Files Nos. 10 and 14, and House File No. 19, a bill for an act to amend chapter 143 of the acts of the Sixteenth General Assembly, entitled an act to provide for establishing superior courts in cities of a certain grade, relating to cities and incorporated towns.

R. B. BAIRD, *Assistant Clerk.*

Senators Abraham and Nichols of Guthrie each requested that the journal of the Senate will show that if present they would have voted "no" on the question of the adoption of the amendment offered by Senator Bills.

The request was granted.

Senator Larrabee proposed as an amendment to the joint resolution agreeing to an amendment to the Constitution, the following: Insert after the words "agree to," in the second line, the words "submit to the people"; also, after the words "agreed to," in the thirteenth line, the words "be submitted to the people for their adoption or rejection."

Senator Gillett moved that the Senate do now adjourn, which motion was disagreed to.

Senator Logan moved that when the Senate adjourn it shall be until 7 o'clock this evening.

Senator Hall moved to amend by striking out "7 o'clock this evening" and inserting instead the words "10 o'clock to-morrow."

The motion to amend was lost.

The question recurring upon the original motion, it did not prevail.

Senator Hemenway moved that the further consideration of the pending joint resolution be postponed and made a special order for to-morrow at 10 o'clock.

The motion prevailed.

At 6 o'clock, on motion of Senator Cotton, the Senate adjourned.

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SENATE CHAMBER, }  
DES MOINES, IOWA, March 2, 1882. }

The Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. Dr. Stewart.

The journal of yesterday was read and approved.

#### INTRODUCTION OF BILLS.

By Senator Boling, Senate File No. 280, a bill for an act to amend section 981 of the Code, in relation to vacancies and special elections.

Read a first and second time, and referred to the Committee on Municipal Corporations.

By Senator Clark of Page, Senate File No. 281, a bill for an act to



legalize the incorporation of the town of Clarinda and the corporate acts thereof.

Read a first and second time, and referred to the Committee on Judiciary.

By Senator Marshall, Senate File No. 282, a bill for an act to enable townships to establish high schools.

Read a first and second time and referred to the Committee on Schools.

By Senator Brown of Keokuk, Senate File No. 283, a bill for an act to repeal section 3296 of the Code, and enact a substitute therefor.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Russell of Greene, Senate File No. 284, a bill for an act to authorize incorporated towns and cities to procure and donate to railway companies sites for depots, machine-shops, and other buildings.

Read a first and second time and referred to the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House File No. 235, a bill for an act to repeal section 3900 of the Code of 1873, and enact a substitute therefor, in relation to offenses against property.

House File No. 430, a bill for an act to provide for the presentation of a gold medal and the thanks of the General Assembly to Miss Kate Shelly.

House File No. 150, a bill for an act to repeal chapter 115, laws of the Eighteenth General Assembly, relating to compensation of sheriffs, and to enact a substitute therefor.

House File No. 110, a bill for an act to amend certain sections of chapter 5, title 12 of the Code of 1873, relating to the time of holding pupils in the Girls' Department of the Iowa Reform School.

Also, House has concurred in concurrent resolution relative to publishing maps of the State of Iowa.

E. C. HAYNES, *Clerk.*

#### REPORTS OF COMMITTEES.

Senator Garber, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 83, a bill for an act to amend section 936 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. GARBER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 24, a bill for an act to repeal section 963 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be passed by the Senate.

M. GARBER, *Chairman*.

Ordered passed on file.

Senator Dashiell, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 148, a bill for an act to amend sections 8 and 9, chapter 75 of the laws of the Eighteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following amendments be made: Strike out of the sixth line of the first section the words "purpose than as medicine" and insert in lieu thereof the following words: "medicinal or mechanical purposes." Also, by striking out all after the word "register" in the fifteenth line of section 1, and up to and including the word "register" in the twenty-first line of said section 1, and when so amended that it do pass.

DASHIELL, *Chairman*.

Ordered passed on file.

Senator Brown of Keokuk, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 74, being a bill for an act to repeal sections 857, 865, and 866 of the Code, and provide substitutes therefor, allowing semi-annual payment of taxes; also, to amend section 871 of the Code, changing time for taxsale.

And find the same correctly engrossed.

C. M. BROWN, *Chairman*.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill without amendment:

Senate File No. 22, an act to insure the better education of practitioners of dentistry in the State of Iowa.

E. C. HAYNES, *Clerk*.

#### HOUSE MESSAGES.

On motion Senator Gillett, House messages were taken up.

House joint resolution proposing amendments to the Constitution, and providing for their publication and reference.

Read a first and second time and referred to the Committee on Constitutional Amendments.

Substitute for House File No. 59, a bill for an act to amend section 289, chapter 1, title 4 of the Code of Iowa, as amended by chapter 183

of the acts of the Eighteenth General Assembly, relating to the bonding of county indebtedness.

Read a first and second time and referred to the Committee on Ways and Means.

Joint resolution proposing to amend section 1, of article 2 of the Constitution of the State of Iowa.

Read a first and second time and referred to the Committee on Constitutional Amendments.

Joint resolution proposing to amend section 1, article 11 of the Constitution of the State of Iowa, and to provide for its reference and publication.

Read a first and second time and referred to the Committee on Constitutional Amendments.

Substitute for House File No. 105, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of West McGregor, Clayton county, Iowa.

Read a first and second time and referred to the Judiciary Committee.

House File No. 419, a bill for an act to appropriate money to pay T. Whiting for lease of property to the Girls' Department of the Reform School.

Read a first and second time and referred to the Committee on Claims.

Substitute for House File No. 235, a bill for an act to repeal section 3900 of the Code of 1873, and to enact a substitute therefor, in relation to offenses against property.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 430, a bill for an act to provide for the presentation of a gold medal and the thanks of the General Assembly to Miss Kate Shelly.

Read a first and second time.

Senator Gillett moved that the bill be considered engrossed, which motion prevailed.

Senator Gillett moved that the Eleventh rule be suspended, and the bill be read a third time.

Senator Parker moved to amend the bill by adding a provision that Miss Kate Shelly be paid the sum of one hundred and fifty dollars in money additional to the medal.

Senator Logan moved to amend so as to provide for giving the lady eighty acres of land instead of the sum named.

Senator Bills moved that the bill be referred to the Committee on Claims, which motion was agreed to.

Senator Hall moved that Senate File No. 65, a bill for an act to regulate the civil practice in the Circuit and District Courts of the State, postponed until to-day, be made a special order to be taken up for consideration immediately after the pending resolution relative to amending the Constitution shall be disposed of.

The motion was agreed to.

House File No. 150, a bill for an act to repeal chapter 115, laws of the Eighteenth General Assembly, relating to compensation of sheriffs, and to enact a substitute therefor.

Read a first and second time and referred to the Committee on Compensation of Public Officers.

House File No. 110, a bill for an act to amend certain sections of chapter 5, title 12 of the Code of 1873, relating to the time of holding pupils in the Girls' Department of the Iowa Reform School.

Read a first and second time and referred to the Committee on Reform Schools.

#### SPECIAL ORDER.

On motion of Senator Tirrill the special order was taken up and considered, being the adoption of the joint resolution proposing a prohibitory amendment to the Constitution of this State, the pending question being the adoption of the amendment offered by Senator Larrabee.

Senator Brown of Keokuk moved that when the Senate adjourn it shall be until two o'clock and thirty minutes P. M.

The motion prevailed.

At 12 o'clock and thirty minutes the Senate adjourned.

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#### AFTERNOON SESSION.

SENATE CHAMBER,  
DES MOINES, IOWA, March 2, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Leave of absence on account of sickness was asked for Senator Russell of Greene.

Leave was granted.

Senator Russell of Jones moved a call of the Senate, which motion prevailed.

The roll was called and the following named Senators were absent without excuse:

Senators Baker, Brown of Van Buren, Hebard, Nichols of Guthrie, and Wright.

Senator Rothert was excused from attendance for to-day on account of death of Mr. Irwin's child.

Senator Arnold moved that further proceedings under the roll call of the Senate be dispensed with, which motion was adopted.

Senator Hebard had leave of absence on account of his illness.

The question being on the adoption of Senator Larrabee's amendment the yeas and nays were demanded.

The yeas were:

Senators Bills, Garber, Graves, Henderson, Keller, Larrabee, Nichols of Benton, Nielander, and Shrader—9.

The nays were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Kamrar, Logan, Marshall,

Mitchell, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, and Wilson—34.

Absent or not voting:

Senators Baker, Brown of Van Buren, Hebard, Johnson, Rothert, Russell of Greene, and Wright—7.

So the amendment was lost.

Senator Hall offered the following as a substitute for the pending joint resolution:

*Be it resolved by the General Assembly of the State of Iowa, That the following amendment to the Constitution of the State of Iowa be, and the same is hereby proposed: to add, as section 26, to article 1 of said Constitution, the following:*

SECTION 26. No person shall manufacture for sale as a beverage or sell or keep for sale for such purpose any intoxicating liquors whatever.

The General Assembly shall, by law, prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provisions hereof.

*Provided further, That the foregoing proposed amendment be, and the same is hereby referred to the legislature to be chosen at the next general election for members of the next General Assembly, and that the Secretary of State cause the same to be published for three months previous to the day of said election as provided by law.*

On the adoption of the substitute the yeas and nays were demanded.

The yeas were:

Senators Bills, Clark of Wayne, Garber, Graves, Hall, Henderson, and Mitchell—7.

The nays were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Gillett, Greenlee, Harmon, Hartshorn, Hemenway, Hunt Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—39.

Absent or not voting:

Senators Baker, Hebard, Johnson, Rothert, and Russell of Greene—4.

So the substitute was lost.

Senator Nichols of Benton moved to amend by inserting after the words "to the Constitution of this State" at the beginning of the third line the following words; to-wit, "by which it is intended to prohibit the manufacture for sale as a beverage or the selling or keeping for sale as beverage any intoxicating liquors whatever, including ale, wine, and beer."

Also, after the words "State of Iowa" in the thirteenth line, insert the following words; to-wit, "by which it is intended to prohibit the manufacture for sale as a beverage, or the selling, or keeping for sale as a beverage, any intoxicating liquors whatever, including ale, wine, and beer."

The yeas and nays were demanded.

The yeas were:

Senators Bills, Clark of Wayne, Garber, Graves, Greenlee, Hall,

Henderson, Hunt, Keller, Larrabee, Mitchell, Nichols of Benton, Nielander, Shrader, and Wright—15.

The nays were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Gillett, Harmon, Hartshorn, Hemenway, Johnson, Kamrar, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Smith, Sudlow, Tirrill, Wall, and Wilson—29.

Absent or not voting.

Senators Baker, Hebard, Hutchison, Rothert, Russell of Greene, and Whaley—6.

So the amendment was lost.

Senator Arnold moved that the rule be suspended, and the joint resolution be considered engrossed, and read a third time now, which motion prevailed, and the joint resolution was read a third time.

The question being, shall the joint resolution pass?

The yeas were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Greenlee, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—35.

The nays were:

Senators Bills, Garber, Graves, Hall, Henderson, Keller, Larrabee, Mitchell, Nichols of Benton, Nielander, and Shrader—11.

Absent or not voting:

Senators Baker, Hebard, Rothert, and Russell of Greene—4.

So the joint resolution proposing an amendment to the Constitution was adopted, and the title was agreed to.

Senator Hemenway moved that the Senate now take up the special order set for this hour, it being the joint resolution declaratory of the meaning intended by the Senate in agreeing to the proposed prohibitory amendment to the Constitution of this State.

The question before the Senate being on the adoption of an amendment to the joint resolution by inserting therein the words "by the Senate, the House concurring," after the word "resolved," Senator Nichols of Benton withdrew said amendment.

Senator Hall moved that the joint resolution be indefinitely postponed.

On which question the yeas and nays were demanded, and

The yeas were:

Senators Clark of Wayne, Hall, Harmon, Henderson, Hutchison, Kamrar, Keller, Marshall, Nichols of Guthrie, Parker, Prizer, and Whaley—12.

The nays were:

Senators Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hartshorn, Hemenway, Hunt, Johnson, Larrabee, Logan, Nichols of Benton, Nichols of Muscatine, Nielander, Patrick, Poyneer, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Wilson, and Wright—32.

Absent or not voting:

Senators Abraham, Baker, Mitchell, Hebard, Rotherth, and Russell of Greene—6.

So the motion was lost.

On motion of Senator Arnold the pending resolution was made a special order for to-morrow at 10 o'clock.

On motion of Senator Russell of Jones the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 3, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. L. Shurer.

The journal of yesterday was read and approved.

#### INTRODUCTION OF BILLS.

By Senator Boling, Senate File No. 285, a bill for an act to divide the State of Iowa into congressional districts under the apportionment of 1882.

Read a first and second time, ordered printed, and referred to the Committee on Congressional Districts.

#### REPORTS OF COMMITTEES.

Senator Robinson, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 262, a bill for an act to amend sections 371 and 3844 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 76, a bill for an act to repeal sections 3781, 3783, 3785, 3787, 3796, and 3797 of the Code, and chapter 184, of the laws of the Eighteenth General Assembly, and enacting a substitute therefor, relating to the salaries of clerk of the courts, county auditor, and treasurer, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that a bill on the same subject-matter has been reported formally by the committee.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 195, a bill for an act amending section 3, chapter 151, laws of the Eighteenth General Assembly, relating to fees of clerks of District and Circuit Courts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "contingent" in line 13, section 1, thereof, and when so amended it do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator Russell, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 57, a bill for an act to create a State Educational Board of Examiners, and to encourage training in the science and art of teaching, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 8, a bill for an act to amend section 4, of chapter 12, of the public acts of the Eighteenth General Assembly, in relation to the loaning and management of the permanent school fund, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that another bill covering the same subject has been passed by the Senate.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 264, a bill for an act to provide for State certificates to teachers of public schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that House File No. 57, reported back with the recommendation that it do pass, covers the same subject.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 241, a bill for an act to repeal section 1739 of the Code of 1873, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: By adding to the title the words "in relation to the duties of the president of the board of school directors"; by inserting the words "section 1" at the commencement of said bill; by inserting in the third line of said bill after the figures "1739" the



words, "of the Code" and by striking out the last portion of said bill, being the publication clause, and that when so amended it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 227, a bill for an act relating to the duties of school directors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that another bill on the same subject has been reported favorably, and is now pending.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 183, a bill for an act to provide for special election of school officers in certain cases, and to secure the maintenance of schools in independent districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Senator Arnold, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 239, a bill for an act appropriating money for painting a portrait of Hon. John H. Gear, ex Governor of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

DELOS ARNOLD, *Chairman*.

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 225, a bill for an act to repeal section 487 of the Code, and enact a substitute in lieu thereof in relation to poll-tax.

Also, Senate resolution memorializing Congress in relation to the construction of the Hennepin Canal.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval Senate File No. 225, a bill for an act to repeal section 487, and to enact a substitute in lieu thereof in relation to poll-tax.

Also, Senate resolution in relation to Hennepin Canal memorializing Congress in relation thereto.

T. E. CLARK, *Chairman*.

Senator Wright, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred substitute for House File No. 252, a bill for an act to legalize the incorporation of the town of Aurelia, Cherokee county, Iowa, the election of its officers, and all acts done, and ordinances passed by the council of said town, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 281, a bill for an act to legalize the incorporation of the town of Clarinda and the corporate acts thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 13, a bill for an act to legalize ordinance No. 80, passed by the town council of the town of Manchester, in Delaware county, Iowa, in relation to purchasing a building for town purposes, and providing for the issuing of bonds in payment thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 220, a bill for an act to legalize the incorporation of the town of Dayton and its ordinances, and the acts of its officers thereunder, and find the same correctly enrolled.

T. E. CLARK, *Chairman.*

Senator Robinson, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred House File No. 150, a bill for an act to repeal chapter 115 of the laws of the Eighteenth General Assembly, relating to compensation of sheriffs, and to enact a substitute in lieu thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: By inserting in section 7 thereof, after the word "day," in the second line, the following words: "which sum shall be in full compensation for such services." Also, by striking out the word "replevin," in line

one of section 8, and inserting in lieu thereof the words "order for the delivery of personal property." Also, by adding to section 9 the following words: "But where the property is purchased by the plaintiff in execution, or where the money is collected without the sale of property, one-half the above rates." Also, by striking out in section 16 the following words: "for taking new bail or bond, fifty cents." Also, by striking out in section 19 the words "court or," in first line thereof. Also, by striking out section 21 and inserting in lieu thereof the following as said section:

SEC. 21. The sheriff, for conveying one or more convicts to either of the penitentiaries of this State, or any prisoner to any county jail outside the county in which said sheriff resides, or any insane person or persons to any insane asylum in the State, or person or persons to the Reform School in the State, shall be allowed as full compensation thereof his necessary traveling expenses actually paid by him, including board and railroad fare for himself and such convicts, insane, or other prisoners, or any other necessary expenses, and in addition thereto forty cents per hour for the time necessarily employed in going to and returning from said prisons, asylums, or reform schools, to be certified by the oath or affidavit of such sheriff, accompanied by the proper vouchers, to the board of supervisors of the county where the convictions took place. Should the sheriff need any assistance in taking prisoners to the penitentiary, or insane persons to the asylum, the same shall be furnished at the expense of the county, the compensation to be fixed by the board of supervisors.

Also, by striking out the word "shall," in first line of section 22, and inserting in lieu thereof the word "may"; and also adding to said section 22 the words, "in the discretion of the board of supervisors." And when so amended it do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Leave of absence for Senators Prizer and Logan was asked.

Leave was granted.

#### BILLS ON THIRD READING.

Senator Nichols of Muscatine moved that the third reading of Senate File No. 74, relating to the semi-annual payment of taxes be made a special order for Wednesday next at 10 o'clock.

The motion was agreed to.

Senator Larrabee moved that the Senate now take up for consideration Senate File No. 39, a bill for an act relating to the trial of equitable actions, amending section 2742, chapter 9, title 17 of the Code of Iowa, as amended by chapter 145, laws of the Seventeenth General Assembly.

The motion prevailed.

The question being, shall the House concur in the Senate amendment?

The roll was called.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett,

Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Brown of Van Buren, Logan, Poyneer, Prizer, Rothert, and Russell of Greene—6.

So the Senate concurred in the House amendment.

#### SPECIAL ORDER.

The hour for the special order having arrived, it being the consideration of the joint resolution declaratory of the meaning intended by the Senate in agreeing to the proposed prohibitory amendment to the Constitution of this State, same was taken up on motion of Senator Greenlee.

Senator Nichols of Benton moved to amend the resolution by inserting therein the words "by the General Assembly of the State of Iowa" after the word "resolved," in the seventh line of the printed copy.

Senator Hartshorn moved that the special order be referred to the Committee on Constitutional Amendments.

The question being on the motion to commit the resolution, the yeas and nays were demanded.

Senators Bills and Clark of Wayne were excused from voting on the pending question.

The yeas were:

Senators Abraham, Baker, Brown of Keokuk, Clark of Page, Cotton, Gillett, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Larrabee, Marshall, Nichols of Guthrie, Nichols of Muscatine, Patrick, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wilson—26.

The nays were:

Senators Arnold, Boling, Brown of Van Buren, Dashiell, Garber, Graves, Greenlee, Hall, Hebard, Henderson, Kamrar, Keller, Mitchell, Nichols of Benton, Nielander, Parker, and Wright—17.

Absent or not voting:

Senators Bills, Clark of Wayne, Logan, Poyneer, Prizer, Rothert, and Russell of Greene—7.

So the resolution was committed to the Committee on Constitutional Amendments.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills and joint resolution, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

Senate File No. 225, a bill for an act to repeal section 487 of the Code, and enact a substitute in lieu thereof in relation to poll-tax.

Joint resolution and memorial relative to construction of Hennepin and Rock-Island Canal.

House File No. 320, a bill for an act to legalize the incorporation of the town of Dayton and its ordinances, and the acts of its officers thereunder.

R. B. BAIRD, *Assistant Clerk*.

Senator Arnold had leave to call up for consideration Senate File No. 174, a bill for an act to provide for levying a half mill State tax to reimburse the general revenue fund of the State for money paid on account of war debts. Committee recommend it do pass.

Senator Hebard moved to insert after the figures "1882" the following; viz., "and 1883" in the tenth line of section 1 of the written copy.

The amendment was adopted.

Senator Arnold offered an amendment to section 1 by inserting after the word "war debts" the following: "and for the completion of the new capitol and the better support of the State institutions, which amendment was adopted.

On motion of Senator Larrabee, the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Robinson, Russell of Jones, Shrader, Smith, Tirrill, Wall, Wilson, and Wright—40.

The nays were:

Senators Hall and Sudlow—2.

Absent or not voting.

Senators Cotton, Johnson, Logan, Poyneer, Prizer, Rothert, Russell of Greene, and Whaley—8.

So the bill passed, and the title was amended by adding after the words "war debts" the words "one-half mill tax for the years 1882 and 1883, and for the completion of the new capitol and for the better support of State institutions," and as thus amended the title was agreed to.

Senator Hall had leave to call up Senate File No. 60, a bill for an act establishing the Supreme Court at the capital of the State and fixing the terms thereof.

On motion, the bill was made a special order for Tuesday next at 10 o'clock.

Senator Tirrill had leave to call up Senate File No. 13, a bill for an act to legalize ordinance No. 80, passed by the town council of the town of Manchester, Delaware county, Iowa, in relation to purchasing a building for town purposes and providing for the issuing of bonds in payment thereof, with report of committee recommending it do pass.

On motion of Senator Tirrill, the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Wilson, and Wright—45.

The nays were—None.

Absent or not voting:

Senators Logan, Prizer, Rothert, Russell of Greene, and Whaley—5.

So the bill passed, and the title was agreed to.

#### INTRODUCTION OF BILLS.

Senator Gillett, by leave, introduced Senate File No. 283, a bill for an act to provide for the payment of salaries and expenses of the secretary and treasurer of the Iowa State Agricultural College.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Johnson, Senate File No. 287, a bill for an act to include all the territory of an incorporated city or town within the independent school district or districts now existing or hereafter to be formed.

Read a first and second time and referred to the Committee on Schools.

Senator Clark of Page had leave to call up Senate File No. 281, a bill for an act to legalize the incorporation of the town of Clarinda, Page county, and the corporate acts thereof, with report of committee recommending that it do pass.

On motion of Senator Clark of Page the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Russell of Jones, Shrader, Smith, Wall, Whaley, Wilson, and Wright—42.

The nays were—None.

Absent or not voting:

Senators Clark of Wayne, Logan, Marshall, Prizer, Rothert, Russell of Greene, Sudlow, and Tirrill—8.

So the bill passed, and the title was agreed to.

Senator Nichols of Muscatine had leave to take up for consideration House File No. 135, a bill for an act to reclaim and protect agricultural low lands by construction of levees, by amending the present drainage law, with report of committee recommending that it do pass.

On motion of Senator Mitchell the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Hall, Mitchell, Logan, Prizer, Robinson, Bothert, and Russell of Greene—7.

So the bill passed, and the title was agreed to.

Leave of absence was asked for Senators Garber, Robinson, Nichols of Benton, Hunt, and Wall until Tuesday next.

Leave was granted.

Senator Hebard, from the Committee on Claims, by leave, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House File No. 430, a bill for an act making an appropriation for the benefit of Miss Kate Shelly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that they find the facts as elsewhere reported essentially correct and that the railroad company paid her \$100 for her services rendered to them. It appears to your committee that the services rendered on that dark and stormy night by this unobtrusive girl, was something more than an act to be measured in dollars and cents. Deeds of daring and danger have ever commanded the admiration of the world, and ever will. The conduct of this humble girl in the opinion of your committee rises to the sublimity of heroism. They therefore approve the bill providing for the gift of a gold medal, and also recommend an amendment appropriating \$200, as an additional and more substantial recognition of her noble conduct, so reckless of herself to save the life of others. When the bill is so amended the committee recommend that it do pass.

ALFRED HEBARD, *Chairman.*

Ordered passed on file.

Senator Marshall was excused from attendance until Monday next at two o'clock P. M.

On motion of Senator Russell of Jones, substitute for Senate Files Nos. 6 and 18, a bill for an act to establish the Iowa State Department of Industry, was taken from the file and ordered made a special order for Wednesday next at two o'clock.

Senator Hartshorn moved that when the Senate adjourn it be until two o'clock P. M., which motion prevailed.

Leave of absence until Wednesday next was granted Senator Mitchell.

On motion of Senator Arnold the consideration of appropriation bills was made a special order for Thursday next at 2 o'clock, to be continued until such bills are disposed of.

House File No. 216, a bill for an act to repeal section 2 of chapter 38, of the laws of the Eighteenth General Assembly, in relation to compensation of officers and employes of the General Assembly, and enact a substitute therefor, with report of the committee proposing a substitute and recommending that it do pass, was taken up and considered.

Senator Smith moved to strike from section 1 of the the printed copy, all after the word "employes" in the eighteenth line of said section, which motion was agreed to.

Senator Graves asked leave of absence for himself until Wednesday next.

Leave was granted.

At twelve o'clock and thirty minutes the Senate adjourned.

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### AFTERNOON SESSION.

SENATE CHAMBER, }  
DES MOINES, IOWA, March 3, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

### INTRODUCTION OF BILLS.

By Senator Larrabee, Senate File No. 288, a bill for an act to pay J. W. Bull contestant from the Thirty-second Senatorial District, the mileage and pay of a member of the session of the Eighteenth General Assembly.

Read a first and second time and referred to the Committee on Claims.

Senator Whaley moved that Senate File No. 192, a bill for an act in relation to apportioning the State of Iowa into senatorial districts, be made a special order for Wednesday next, at 10 o'clock, to be considered immediately after the special order heretofore fixed for that hour, which motion was agreed to.

House File No. 241, a bill for an act to repeal section 1739 of the Code of 1873, and enact a substitute therefor, with the report of committee recommending amendment by adding to the title the words "in relation to the duties of the president of the board of school directors by inserting the words "section one" at the commencement of said bill; by inserting in the third line of said bill, after the figures "1879" the words "of the Code"; and by striking out the last portion of said bill, being the publication clause; and that when so amended it do pass.

The report of the committee was adopted.

On motion of Senator Brown of Keokuk the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?



The yeas were:

Senators Arnold, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—32.

The nays were—None.

Absent or not voting:

Senators Abraham, Brown of Van Buren, Clark of Wayne, Cotton, Garber, Graves, Hebard, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Prizer, Robinson, Rothert, Russell of Greene, Shrader, and Wilson—18.

So the bill passed, and the title was agreed to.

Senate File No. 223, a bill for an act to require husband and wife to join in a chattel mortgage to render it valid upon property exempt from general execution. Committee recommend it do pass.

On motion of Senator Larrabee the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—35.

The nays were—None.

Absent or not voting:

Senators Abraham, Brown of Van Buren, Cotton, Garber, Graves, Hebard, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Prizer, Robinson, Rothert, and Russell of Greene—15.

So the bill passed, and the title was agreed to.

Substitute for House File No. 275, a bill for an act to legalize the reorganization and incorporation of the town of Princeton, Scott county, Iowa, with report of committee recommending that the substitute do pass, was taken up and considered.

On motion of Senator Bills, the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass.

The yeas were:

Senators Arnold, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Cotton, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wilson—34.

The nays were—None.

Absent or not voting:

Senators Abraham, Brown of Van Buren, Clark of Wayne, Garber, Graves, Hebard, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Prizer, Robinson, Rothert, Russell of Greene, and Wright—16.

So the bill passed, and the title was agreed to.

Senate File No. 175, a bill for an act empowering school directors to provide for the insurance of school-houses and school furniture, with the report of committee offering a substitute, and recommending it do pass, was taken up for consideration.

The substitute was adopted.

On motion of Senator Hartshorn the rule was suspended, and the bill was read a third time

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wilson—34.

The nays were—None.

Absent or not voting:

Senators Abraham, Brown of Van Buren, Garber, Graves, Hebard, Kamar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Prizer, Robinson, Rothert, Russell of Greene, and Wright—16.

So the bill passed, and the title was agreed to.

Senate File No. 109, a bill for an act requiring city councils and boards of trustees of cities and towns organized under the general incorporation laws of Iowa to pass annual appropriation ordinances, and to limit the expenditure of money by them, with report of committee proposing a substitute, and recommending it do pass, was taken up and considered.

On motion of Senator Smith the substitute was ordered passed on file and printed.

Senate File No. 59, a bill for an act authorizing cities acting under special charters to cause land on which there is stagnant water to be filled up or drained, and providing for the collection of such expense, with the report of committee recommending it do pass, was taken up for consideration.

On motion of Senator Bills the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Henderson, Hunt, Hutchison, Johnson, Kamar, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—36.

The nays were—None.

Absent or not voting:

Senators Brown of Van Buren, Garber, Graves, Hebard, Hemenway, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Prizer, Robinson, Rothert, and Russell of Greene—14.

So the bill passed, and the title was agreed to.

House File No. 153, a bill for an act to legalize the acknowledgments taken and certified by Isaiah Doane, mayor of the incorporated town of Webster City, was taken from the file and considered.

The committee recommend it do pass.

On motion of Senator Kamrar, the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—37.

The nays were—None.

Absent or not voting:

Senators Baker, Brown of Van Buren, Garber, Graves, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Prizer, Robinson, Rothert, and Russell of Greene—13.

So the bill passed, and the title was agreed to.

Senate File No. 218, a bill for an act to amend section 3543 of the Code, with report of the committee recommending that the title be amended by adding thereto the words "in relation to judgments by default in courts of justices of the peace, and that when so amended the bill do pass.

The report of the committee was adopted.

On motion of Senator Poyneer, the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wilson, and Wright—34.

The nays were—None.

Absent or not voting:

Senators Baker, Brown of Van Buren, Garber, Graves, Greenlee, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Prizer, Robinson, Rothert, Russell of Greene, Wall, and Whaley—16.

So the bill passed, and the title was amended as recommended by the committee, and as thus amended the title was agreed to.

Senate File No. 67, a bill for an act to amend chapter 152 of the Sixteenth General Assembly, and chapter 164 of the Eighteenth General Assembly, and having reference to the maintenance and management of the Iowa Institution for Feeble-Minded Children, with report of committee recommending amendments, was taken up for consideration.

The committee recommend the bill do pass after being amended as follows:

In section 2, line six, insert after the words "six years" "and at least one of them shall be a resident of Mills county." Section 4, lines six and seven, strike out all after the word "board" referring to the county auditor. Section 5, line 4, after "president" strike out the

words "and another treasurer"; and after the word "elect" strike out the words "some person" and insert "a"; and after the word "secretary" insert "and treasurer." Strike out of fifth line the words "one of their members" and insert "members of the board"; tenth line, strike out "and places"; eleventh line, after the word "by" insert "\$4 per day for time actually employed and." Section 6, line one, after the word "State" insert "between the ages of five and eighteen years." Section 7, line 2, insert "eighteen" instead of "twenty-one years." Section 10, seventh and eighth lines, insert the word "auditor in place of treasurer."

The report of the committee was adopted.

The word "Iowa" was stricken from the second line of section 2, where it occurs in said line, on motion of Senator Brown of Keokuk.

The word "establishment" was stricken from the third section, on motion of Senator Clark of Page, and the word "institution" inserted in its place.

Section 4 was amended as recommended by the committee.

Section 5 was amended as recommended by the report of the committee.

Section 6 was amended as recommended by the committee.

Section 10 was amended by inserting "auditor" for the word "treasurer," in lines seven and eight.

Senator Larrabee moved to amend by adding a publication clause, which motion was agreed to.

The phrase "unless such child is already comfortably provided for," was added to section 7, on motion of Senator Clark of Page.

The word "conclusively" was stricken from the sixth line of section 10, on motion of Senator Brown of Keokuk.

Section 6 was amended, on motion of Senator Bills, by inserting in the first line, after the word "youth," the word "residing."

On motion of Senator Clark of Page the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—38.

The nays were—None.

Absent or not voting:

Senators Garber, Graves, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Prizer, Robinson, Rothert, Russell of Greene, and Russell of Jones—12.

So the bill passed, and the title was amended so as to read: "A bill for an act to repeal chapter 152 of the acts of the Sixteenth General Assembly, and chapter 164 of the acts of the Eighteenth General Assembly, and to provide for the establishment and maintenance of the Institution for the Feeble-Minded Children at Glenwood," and as thus amended the title was agreed to.

## RESOLUTION.

Senator Arnold offered the following resolution:

*Resolved by the Senate, the House concurring,* That both branches of the General Assembly will meet in joint convention on Wednesday, the 8th inst., at 4 o'clock P. M., for the purpose of electing trustees for the various State institutions.

On motion of Senator Hemenway the resolution was ordered passed on file, to be taken up when the proper order is reached on to-morrow.

House File No. 430, a bill for an act to provide for the presentation of a gold medal and the thanks of the General Assembly to Miss Kate Shelly, was taken up, with report of committee, and considered. The committee report that they find the facts, as elsewhere reported, essentially correct, and that the railroad company paid her \$100 in money for her service rendered to them. It appears to your committee that the service rendered on that dark and stormy night by the unobtrusive girl was something more than an act to be measured by dollars and cents. Deeds of daring and danger have ever commanded the admiration of the world, and ever will. The conduct of this humble girl, in the opinion of your committee, rises to the sublimity of heroism. They, therefore, approve the bill providing for the gift of a gold medal, and also recommend an amendment appropriating \$200 as an additional and more substantial recognition of her noble conduct, so reckless of herself, to save the life of others. When the bill is so amended the committee recommend it do pass.

The report of the committee was adopted, and section 2 was added to the bill providing for the payment of said sum of two hundred dollars, as recommended by the committee.

The name of Hon. J. D. Gillett was, on motion of Senator Tirrill, added to the committee authorized in the bill to procure the medal and present the same to the donee with the thanks of the General Assembly.

On motion of Senator Gillett, the rule was suspended, and the bill was read a third time.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Nielander, Patrick, Poyneer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—37.

The nays were—None.

Absent or not voting:

Senators Clark of Wayne, Garber, Graves, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Parker, Prizer, Robinson, Rothert, and Russell of Greene—13.

So the bill passed, and the title was amended by adding the words "and two hundred dollars with" in place of the word "and," and as thus amended the title was agreed to.

At 5:45 o'clock, on motion of Senator Dashiell, the Senate adjourned.

SENATE CHAMBER,  
DES MOINES, IOWA, March 4, 1882. }

The Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. R. J. Derrick.

The journal of yesterday was read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House File No. 46, a bill for an act to provide for the trimming, cutting, and keeping in order hedge fences along public highways.

House File No. 381, a bill for an act to legalize the organization and acts of the independent district of Omaha, in Pilot township, Iowa county, Iowa.

House File No. 391, a bill for an act to legalize certain proceedings of the city council of the city of Pella, in the county of Marion, and State of Iowa, with regard to the purchase of a public square.

Joint resolution asking Congress to pension the soldiers of the Mexican War.

E. C. HAYNES, *Clerk*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills without amendment:

Senate File No. 231, a bill for an act to legalize the sale of certain school land in Buena Vista county.

Senate File No. 166, a bill for an act to legalize the independent school district of Volga City, Clayton county, Iowa.

Senate File No. 1, a bill for an act to amend section 890 of the Code, relating to the redemption of taxsales.

Senate File No. 248, a bill for an act requiring the cost of paving street and alley intersections in certain cities to be paid out of a general paving fund, and another urging the levy of a special tax therefor

E. C. HAYNES, *Clerk*.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, with amendments, in which the concurrence of the Senate is asked:

Concurrent resolution relative to adjournment of both houses *sine die*, amended by striking out the word "tenth" before the words "day of March," and inserting the word "sixteenth."

E. C. HAYNES, *Clerk*.

## PETITIONS AND MEMORIALS.

Senator Smith presented a petition from citizens of Polk county asking the enactment of a law providing for the taxation of dogs, and payment for sheep killed by dogs.

By Senator Harmon; a petition relative to providing by law for a uniform system of text-books for the public schools of Iowa.

Referred to the Committee on Schools.

## INTRODUCTION OF BILLS.

By Senator Cotton, Senate File No. 289, a bill for an act to amend chapter 69 of the laws of the Eighteenth General Assembly, in relation to the State Library.

Read a first and second time and referred to the Committee on State Library.

By Senator Harmon, from the Committee on Compensation of Public Officers, Senate File No. 290, a bill for an act relating to the salaries of deputies or clerks employed by the clerks of the District and Circuit Courts, county treasurers, and auditors.

Read a first and second time, ordered printed, and passed on file.

By Senator Brown of Van Buren, Senate File No. 291, a bill for an act additional and amendatory to chapter 2, of title 10 of the Code of 1873, in relation to drainage.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Hartshorn, from the Committee on Schools, Senate File No. 292, a bill for an act to amend section 1777 of the Code, in relation to the duty of boards of school directors.

Read a first and second time, and ordered passed on file.

By Senator Hemenway, Senate File No. 293, a bill for an act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such association.

Read a first and second time and referred to the Committee on Judiciary.

## RESOLUTIONS.

Senator Brown of Keokuk offered the following resolution, which was adopted:

*Be it resolved by the Senate, the House concurring,* That the Secretary of State be and he is hereby authorized to employ two competent persons to prepare for publication a syllabus of all the laws enacted by the Nineteenth General Assembly, and that the persons so employed be allowed the sum of five dollars per day each for the time actually employed in such service, the work to be completed within twenty-four hours after final adjournment of the General Assembly.

Senator Arnold moved to take up and consider the House amendment of Senate resolution relative to adjournment.

Senator Nichols of Muscatine moved that further consideration of the resolution and amendment be postponed until Wednesday next, at 11 o'clock, which was disagreed to.

Senator Wilson moved to amend the amendment by striking out the word "sixteenth" and insert "twenty-third."

On which question the yeas and nays were demanded.

The yeas were:

Senators Brown of Van Buren, Hemenway, Nichols of Guthrie, Nichols of Muscatine, Parker, Russell of Jones, Smith, Whaley, and Wilson—9.

The nays were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Greenlee, Hall, Harmon, Hebard, Henderson, Hutchison, Johnson, Kamrar, Keller, Larrabee, Nielander, Patrick, Poyneer, Shrader, Sudlow, Tirrill, and Wright—28.

Absent or not voting:

Senators Garber, Graves, Hartshorn, Hunt, Logan, Marshall, Mitchell, Nichols of Benton, Prizer, Robinson, Rothert, Russell of Greene, and Wall—13.

So the motion was lost.

Senator Greenlee offered the following resolution:

*Resolved*, That from and after Tuesday, the 7th, the Senate will hold two sessions daily, from 9:30 A. M. to 12 M., and from 2:30 to 6 P. M., unless otherwise ordered.

Senator Abraham offered an amendment to the resolution by striking out "9:30" and inserting "9," which motion was lost.

The question recurring upon the adoption of the resolution, the same was adopted.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following memorial and joint resolution, in which the concurrence of the Senate is asked:

Joint resolution and memorial in relation to the investment fund of the Iowa Agricultural College.

Also, joint resolution referring to the proceeds of sales of swamp lands.

Also, House File No. 448, a bill for an act to provide for the payment of the expenses of the committee appointed to visit the State institutions and the committee appointed to escort remains of the late W. E. Webster to his home at Clarinda, Iowa.

A. W. RENSHAW, *Second Assistant Clerk*.

#### INTRODUCTION OF BILLS.

Senator Nichols of Guthrie, by leave, introduced Senate File No. 294, a bill for an act to legalize the incorporation and change of name of the town of "Menlo," in Guthrie county, Iowa.

Read a first and second time and referred to the Judiciary Committee.



## REPORTS OF COMMITTEES.

Senator Hartshorn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 62, a bill for an act entitled compulsory attendance at school, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that the same subject is covered by substitute for House File No. 91, which has been reported favorably.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Senator Hartshorn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred substitute for House File No. 91, a bill for an act to insure to children the benefits of elementary instruction, beg leave to report that they had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Senator Poyneer, from the Committee on Agricultural College, submitted the following report:

MR. PRESIDENT—Your Committee on Agricultural College, to whom was referred a joint resolution permitting the trustees of the Agricultural College to purchase certain lands adjoining the College farm, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

POYNEER, *Chairman*.

Ordered passed on file.

Senator Patrick, from the Committee on College for the Blind, submitted the following report:

MR. PRESIDENT—Your Committee on College for the Blind, to whom was referred Senate File No. 188, a bill for an act to amend section 1675 of the Code, and repeal section 1676 of the Code, as amended by chapter 72 of the acts of the Seventeenth General Assembly, and chapter 165 of the acts of the Eighteenth General Assembly, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

PATRICK, *Chairman*.

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 22, an act to insure the better education of practitioners of dentistry in the State of Iowa.

Senate File No. 39, an act relating to the trial of equitable actions, and amending section 2742 chapter 9, title 17 of the Code of Iowa, as

amended by chapter 145, of the laws of the Seventeenth General Assembly.

House File No. 153, a bill for an act to legalize the acknowledgments taken and testified by Isaiah Doane, mayor of the incorporate town of Webster City, Iowa.

\* House File No. 275, a bill for an act to legalize the organization and incorporation of the town of Princeton, Scott county, Iowa.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Senator Tirrill, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred a petition of the Society of Friends, in relation to the "good time" of convicts, and imprisonment for life, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be placed on file, for the reason that the subject-matter contained in the petition is embodied in a bill now pending before the General Assembly.

TIRRILL, *Chairman*.

Ordered passed on file.

Senator Hartshorn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools have instructed me to introduce the enclosed bill, being a bill for an act to amend section 1777 of the Code, in relation to the duty of boards of school directors, and recommend that the same do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

#### BILLS ON SECOND READING.

Senator Nichols of Guthrie had leave to call up Senate File No. 189, a bill for an act authorizing the purchase of grounds by the State for the use of the State fair, and appropriating money to pay therefor.

The bill was made a special order for Monday next at ten o'clock.

Senate File No. 83, a bill for an act to amend chapter 151, laws of the Eighteenth General Assembly, in relation to the State Board of Health and vital statistics, was taken up and considered with report of committee, proposing a substitute and recommending that it do pass.

Senator Shrader moved to strike from section 1, the word "five" and insert "three," which motion prevailed.

The substitute was adopted.

On motion of Senator Bills the bill was ordered engrossed.

Senate File No. 163, a bill for an act to amend section 506 of the Code of 1873, and providing for the compensation of mayors of cities and incorporated towns, acting as justice of the peace, was taken up and on motion of Senator Gillett made a special order for Tuesday next at eleven o'clock.

On motion of Senator Gillett House joint resolution relative to amending the Constitution of this State by striking therefrom the word

"male," was taken from the file and made a special order for Tuesday next at three o'clock.

Senator Gillett had leave to call up for consideration House memorial and joint resolution in relation to the endowment fund of the Iowa Agricultural College.

On motion of Senator Poyneer the rule was suspended and the joint resolution was read a third time.

On the question, shall the joint resolution pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Gillett, Greenlee, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hutchison, Johnson, Kamrar, Keller, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—34.

The nays were—None.

Absent or not voting:

Senators Arnold, Cotton, Dashiell, Garber, Graves, Hall, Hunt, Logan, Marshall, Mitchell, Nichols of Benton, Prizer, Robinson, Rothert, Russell of Greene, and Wall—16.

So the joint resolution passed, and the title was agreed to.

Senate joint resolution permitting the trustees of the Agricultural College to purchase certain lands adjoining College farm, with report of committee recommending it do pass, was taken from the file by leave and considered.

On motion of Senator Poyneer, the rule was suspended, and the joint resolution was read a third time.

The question being, shall the joint resolution pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hutchison, Johnson, Kamrar, Keller, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, and Wilson—36.

The nays were—None.

Absent or not voting:

Senators Cotton, Garber, Graves, Hunt, Logan, Marshall, Mitchell, Nichols of Benton, Prizer, Robinson, Rothert, Russell of Greene, Wall, and Wright—14.

So the joint resolution passed, and the title was agreed to.

Senate File No. 257, a bill for an act to amend section 8, chapter 77, acts of the Seventeenth General Assembly, making the Railroad Commissioner's tax payable directly into the State Treasury, with report of committee recommending amendments by striking out all of section 1 after the enacting clause and inserting the following, and thus amended that the bill do pass:

That section 8, chapter 77 of laws of the Seventeenth General Assembly is hereby amended by striking out all of said section after the word "State" in the sixth line and inserting the following:

"The Executive Council shall at or before its annual meeting on the second Monday in July in each year determine the amount required to

be paid by each railroad company to meet the sum certified by the Board of Commissioners, and shall levy the same upon the property of the railroad companies in the State, and shall notify each company of said levy, and said tax shall be paid by the railroad companies into the State Treasury."

The report of the committee was adopted.

On motion of Senator Larrabee, the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hutchinson, Johnson, Kamrar, Keller, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, and Wilson—35.

The nays were—None.

Absent or not voting:

Senators Cotton, Dashiell, Garber, Graves, Hunt, Logan, Marshall, Mitchell, Nichols of Benton, Prizer, Robinson, Rothert, Russell of Greene, Wall, and Wright—15.

So the bill passed, and the title was agreed to.

Senate File No. 31, a bill for an act to amend section 2082 of the Code, relating to the negotiability of notes and contracts, was taken up and considered, and on motion of Senator Tirrill the bill was indefinitely postponed.

Senator Greenlee was granted leave of absence until Monday next.

Senate File No. 199, a bill for an act to prohibit any township officer from becoming surety on the official bond of another township officer, was taken up, considered, and on motion of Senator Kamrar, was indefinitely postponed.

Senate File No. 51, a bill for an act to repeal subdivision 2, section 2, of chapter 184 of the laws of the Eighteenth General Assembly, and to provide a substitute therefor in relation to compensation for collection of taxes, was taken up, considered, and ordered passed on file.

Senate File No. 66, a bill for an act to amend section 936 of the Code of 1873 in relation to road notices, with report of committee recommending indefinite postponement, was taken up and the report of the committee was adopted.

Senate File No. 86, a bill for an act to amend section 934 of the Code of 1873, in relation to commissioners laying out highways, with report of committee recommending it do pass, was taken up, considered, and on motion ordered passed on file.

Senate File No. 204, a bill for an act to repeal section 921 of the Code of 1873, and to enact a substitute therefor relating to the establishment of highways, was taken from the file, considered, and on motion ordered engrossed.

House File No. 83, a bill for an act to amend section 936 of the Code of 1873, was taken from the file and on motion of Senator Larrabee the bill was recommitted to the Committee on Highways.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill without amendment.

Senate File No. 281, a bill for an act to legalize the incorporation of the town of Clarinda, and the corporate acts thereof.

Also, that the House has concurred in Senate amendments to Senate File No. 241, a bill for an act to repeal section 1739 of the Code of 1873, and enact a substitute therefor in relation to the duties of the president of the board of school directors.

Also, House File No. 430, a bill for an act to provide for the presentation of a gold medal, and \$200, and the thanks of the General Assembly to Miss Kate Shelly.

A. W. RENSRAW, *Second Assistant Clerk.*

House File No. 177, a bill for an act to amend the second proviso of section 1289 of the Code, relating to collection of damages caused by fire from railways, with report of committee offering a substitute, and recommending that the substitute do pass.

The question being on the adoption of the substitute, the same was lost.

Senator Bills moved as an amendment to the motion that the bill be made a special order for Saturday next at ten o'clock A. M., and that the bill be ordered printed, which motion prevailed.

Leave of absence until Wednesday next was asked for Senators Whaley and Hemenway.

Leave was granted.

House File No. 181, a bill for an act to regulate parties loaning money in the State of Iowa, with report of the committee recommending indefinite postponement, was taken up and considered.

The question being, shall the report of the committee be concurred in, the yeas and nays were demanded.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Gillett, Harmon, Hartshorn, Hebard, Henderson, Johnson, Kamrar, Keller, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Russell of Jones, Shrader, Smith, Sudlow, Whaley, and Wilson—29.

The nays were:

Senators Clark of Wayne, Hemenway, and Tirrill—3.

Absent or not voting.

Senators Cotton, Dashiell, Garber, Graves, Greenlee, Hall, Hunt, Hutchison, Logan, Marshall, Mitchell, Nichols of Benton, Prizer, Robinson, Rothert, Russell of Greene, Wall, and Wright—18.

So the report of the committee was adopted.

Senators Nichols of Guthrie, Johnson, Patrick, and Gillett were excused from attendance until Monday at 2 o'clock P. M.

Senator Poyneer moved that the Senate adjourn until 2 o'clock P. M.

Senator Larrabee moved to amend by striking out "2 o'clock P. M." and inserting "9 o'clock and 30 minutes on Monday."

The motion to amend prevailed, and the motion as amended was agreed to, and at 12:30 o'clock the Senate adjourned.

SENATE CHAMBER,  
DES MOINES, IOWA, March 6, 1882. }

The Senate convened pursuant to adjournment, and was called to order by the President.

Prayer by Rev. T. A. Cheek.

The journal of Saturday was read and approved.

Leave of absence for to-day was asked for Senators Hutchison and Dashiell.

Leave was granted.

Senator Larrabee moved that the Senate reconsider the vote by which the Senate concurred in House joint resolution relative to adjournment.

On motion of Senator Larrabee the consideration of the motion to reconsider was postponed until the 15th inst.

#### INTRODUCTION OF BILLS.

By Senator Larrabee, Senate File No. 295, a bill for an act guarding against the introduction and spreading of hog cholera and other infectious and contagious diseases.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Baker, Senate File No. 296, a bill for an act to legalize the organization and proceedings of the independent school district of Castalia, in Winneshiek county, Iowa.

Read a first and second time, and referred to the Committee on Judiciary.

#### REPORTS OF COMMITTEES.

Senator Brown of Keokuk, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined substitute for Senate File No. 83, being a bill for an act to amend chapter 151, laws of the Eighteenth General Assembly, in relation to the State Board of Health, and vital statistics.

And find the same correctly engrossed.

C. M. BROWN, *Chairman*.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 248, a bill for an act requiring the cost of paving streets and alley intersections, in certain cities, to be paid out of a general paving fund, and authorizing the levy of a special tax therefor.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Senator Hebard, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 201, a bill for an act making an appropriation of \$500 to pay an indebtedness incurred by the trustees of the Girls' Reform School under authority granted by the Executive Council, beg leave to report that they have had the same under consideration, and have instructed me to report a substitute for the same with the recommendation that it do pass. The requisite authority was given by the Executive Council to incur this indebtedness to aid the support fund as provided in section 1, chapter 67 of the laws of 1878.

ALFRED HEBARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 288, a bill for an act to pay J. W. Bull, contestant from the Thirty-second Senatorial District, the mileage and pay of a member for the session of the Eighteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

ALFRED HEBARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House File No. 119, a bill for an act appropriating money to pay T. Whiting for lease of property to the Girls' Department of the Reform School, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute back to the Senate with the recommendation that the same do pass.

ALFRED HEBARD, *Chairman.*

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 281, a bill for an act to legalize the incorporation of the town of Clarinda and the corporate acts thereof.

And find the same correctly enrolled.

T. E. CLARK, *Chairman.*

Senator Kamrar, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred Senate File No. 200, a bill for an act to authorize the sale and conveyance of indemnity swamp lands so-called, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out of the fourth line of section 6 the words "one hundred and sixty" and inserting the word "eighty" in lieu thereof, and when so amended that it do pass.

KAMRAR, *Chairman.*

Ordered passed on file.

## BILLS ON SECOND READING.

Senate File No. 83, a bill for an act to amend chapter 151, laws of the Eighteenth General Assembly, in relation to the State Board of Health and vital statistics, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Brown of Keokuk, Brown of Van Buren, Hall, Harmon, Hartshorn, Hebard, Henderson, Kamrar, Keller, Mitchell, Nichols of Muscatine, Nielander, Parker, Poyneer, Shrader, Smith, Sudlow, and Wright—21.

The nays were:

Senators Boling, Clark of Page, Clark of Wayne, Gillett, Larrabee, Russell of Jones, and Tirrill—7.

Absent or not voting:

Senators Bills, Cotton, Dashiell, Garber, Graves, Greenlee, Hemenway, Hunt, Hutchison, Johnson, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Patrick, Prizer, Robinson, Rothert, Russell of Greene, Wall, Whaley, and Wilson—22.

So the bill did not pass.

Senate File No. 63, a bill for an act to amend section 983, chapter 2, title 7 of the Code of 1873, relating to the time of performing labor on highways, with report of committee recommending that the bill be indefinitely postponed, was taken up and considered, and the report of the committee was adopted.

Senate File No. 51, an act to repeal subdivision 2, section 2, chapter 184 of the laws of the Eighteenth General Assembly, and to provide a substitute therefor, in relation to compensation for collection of taxes, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 242, a bill for an act to suppress the sale of intoxicating liquors at agricultural fairs, was taken up by leave, and, on motion of Senator Harmon, indefinitely postponed.

Senate File No. 144, a bill for an act to repeal section 3791 of the Code of 1873, and to enact a substitute therefor, relating to compensation of members of boards of supervisors, was taken up, and, on motion, was made a special order for Wednesday at 3 o'clock.

Senator Kamrar had leave to call up for consideration Senate File No. 217, a bill for an act relating to the taking of acknowledgments and recording of deeds in certain cases, and rendering valid the acknowledgments of deeds and instruments in writing, with report of committee recommending that the bill be indefinitely postponed.

Senator Kamrar moved that the report of the committee be adopted, which motion prevailed.

Senate File No. 128, a bill for an act providing for holding terms of the District and Circuit Courts at Avoca, in the county of Pottawattamie, in the Thirteenth Judicial District of the State of Iowa, was taken up, considered, and, on motion of Senator Harmon, the bill was indefinitely postponed.

Senate File No. 86, a bill for an act to amend section 934 of the Code of 1873, in relation to commissioners laying out highways, with



report of committee recommending the bill do pass, was taken up, considered, and, on motion of Senator Brown of Van Buren, ordered passed on file.

Senate File No. 136, a bill for an act requiring notices to cities and towns for damages for injuries sustained on sidewalks, was taken up, considered, and passed on file.

Senate File No. 262, a bill for an act to amend sections 371 and 3844 of the Code, with report of Committee on Compensation of Public Officers recommending it be indefinitely postponed, was taken up, and the report of the committee was adopted.

Senate File No. 155, a bill for an act to repeal section 1268, chapter 4, title 10 of the Code of 1873, in relation to cattle-guard and railway crossings, and to enact a substitute therefor, with report of committee recommending that the bill be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senator Wright had leave to call up House File No. 252, a bill for an act to legalize the incorporation of the town of Aurelia, Cherokee county, Iowa.

On motion of Senator Wright the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Gillett, Hall, Harmon, Hartshorn, Hebard, Henderson, Kamrar, Keller, Larrabee, Mitchell, Nichols of Muscatine, Nielander, Parker, Poyneer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wilson, and Wright—29.

The nays were—None.

Absent or not voting:

Senators Bills, Cotton, Dashiell, Garber, Graves, Greenlee, Hemenway, Hunt, Hutchison, Johnson, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Patrick, Prizer, Robinson, Rothert, Russell of Greene, Wall, and Whaley—21.

So the bill passed, and the title was agreed to.

Senate File No. 227, a bill for an act relating to the duties of school directors, with the report of the committee recommending indefinite postponement, was taken up, and the report of the committee was concurred in.

Senator Wright, by consent, called up for consideration Senate File No. 238, a bill for an act additional and amendatory to section 797, chapter 1, title 6 of the Code, relating to exemptions, with report of the committee recommending amendments, and that the bill do pass.

On motion of Senator Wright the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Gillett, Hall, Harmon, Hartshorn, Henderson, Kamrar, Keller, Larrabee, Mitchell, Nichols of Muscatine, Nielander, Parker, Poyneer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, and Wright—27.

The nays were—None.

Absent or not voting:

Senzors Bills, Cotton, Dashiell, Garber, Graves, Greenlee, Hebard, Hemenway, Hunt, Hutchison, Johnson, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Patrick, Prizer, Robinson, Rothert, Russell of Greene, Wall, Whaley, and Wilson—23.

So the bill passed, and the title was agreed to.

Senate File No. 167, a bill for an act to repeal section 1268 of the Code and to enact a substitute therefor, with report of the committee recommending indefinite postponement, was taken up, considered, and on motion of Senator Poyneer the bill was ordered passed on file.

Senate File No. 155, a bill for an act to repeal section 1268, chapter 4, title 10 of the Code of 1873, in relation to cattle guard and railway crossings, and to enact a substitute therefor, was taken up and considered.

On motion of Senator Gillett the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Hall, Harmon, Harts-horn, Hebard, Henderson, Kamrar, Keller, Larrabee, Mitchell, Nichols of Muscatine, Nielander, Parker, Poyneer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wilson, and Wright—28.

The nays were—None.

Absent or not voting:

Senators Bills, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hemenway, Hunt, Hutchison, Johnson, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Patrick, Prizer, Robinson, Rothert, Russell of Greene, Wall, and Whaley—22.

So the bill passed, and the title was agreed to.

Senator Wilson, by consent, called up for consideration Senate File No. 203, a bill for an act to legalize and make valid and binding the establishment of highways of a less width than sixty-six feet, by county auditor.

Senator Hall offered an amendment by adding the following:

*Provided*, That the passage of the act shall not affect any private right or interest.

Senator Brown of Keokuk offered the following as a substitute for Senator Hall's amendment:

"This act shall not affect rights vested or suits pending at the time of its taking effect."

The substitute for the amendment was accepted.

On motion of Senator Wilson the bill with the amendment was postponed to be taken up and considered on to-morrow.

Senate File No. 76 was taken up by consent and considered, a bill for an act to repeal sections 3781, 3783, 3785, 3787, 3796, and 3797 of the Code, and chapter 184 of the laws of the Eighteenth General Assembly, and enacting a substitute therefor relating to the salaries of clerks of the courts, county auditors, and treasurers, with report of committee recommending it be indefinitely postponed.

Senator Wilson moved that the report of the committee be adopted, which was agreed to.

Senator Hartshorn obtained leave to call up for consideration House File No. 8, a bill for an act to amend section 4, of chapter 12, of the public acts of the Eighteenth General Assembly, in relation to the loaning and management of the permanent school fund.

The committee recommend indefinite postponement.

On motion the report was concurred in.

Senator Arnold obtained leave to call up Senate File No. 92, a bill for an act for the suppression of treating, with report of committee recommending that the bill do not pass.

On motion the report was adopted.

By consent Senate File No. 34, a bill for an act to amend chapter 59, of the acts of the Seventeenth General Assembly in relation to the assessment and taxation of telegraph lines in the State of Iowa, was taken up and considered with report of the committee recommending indefinite postponement.

The report of the committee was adopted.

Senator Hall by leave called up for consideration Senate File No. 288, a bill for an act to pay J. W. Bull contestant from the Thirty-second Senatorial District, the mileage and pay of a member for the session of the Eighteenth General Assembly, with report of committee recommending that it do not pass.

Senator Hall moved that the report be adopted, which motion was agreed to.

Senator Abraham by consent called up for consideration House File No. 419, with report of committee proposing a substitute and recommending that it do pass.

The substitute was adopted and ordered engrossed.

#### INTRODUCTION OF BILLS.

By leave, Senator Parker introduced Senate File No. 297, a bill for an act to apportion the State of Iowa into eleven congressional districts.

Read a first and second time.

On motion of Senator Larrabee the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Brown of Keokuk, Brown of Van Buren, Clark of Page, Hall, Harmon, Hartshorn, Henderson, Keller, Mitchell, Shrader, and Tirrill—12.

The nays were:

Senators Arnold, Baker, Boling, Clark of Wayne, Hebard, Kamrar, Larrabee, Nichols of Muscatine, Nielander, Parker, Poyneer, Russell of Jones, Sudlow, Wilson, and Wright—15.

Absent or not voting.

Senators Bills, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hemenway, Hunt, Hutchison, Johnson, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Patrick, Prizer, Robinson, Rother, Russell of Greene, Smith, Wall, and Whaley—23.

So the bill did not pass.

Senator Larrabee moved that when the Senate adjourn it be until 2 o'clock p. m., which motion prevailed.

At twelve o'clock m. the Senate adjourned.

## AFTERNOON SESSION.

2 O'CLOCK P. M.

Senate File No. 88, a bill for an act to regulate the sale of coal oil, and to repeal chapter 172 of the laws of 1878, and section 3901 of the Code, was taken up, considered, and, on motion, passed on file.

Senate File No. 55, a bill for an act regulating the crossings of high-ways by railroads, with report of committee recommending it do pass, was considered.

The bill was ordered engrossed.

The petition of Mary E. Bryan, asking payment of \$1,457, amount claimed from the State of Iowa as due her husband, with report of the Committee on Claims thereupon, was taken up and considered. The committee report as follows:

MR. PRESIDENT—Your Committee on Claims, to whom was referred the petition of Mary E. Bryan, asking payment of a balance due her husband of \$1,457.05, and interest from 1858, on account of work done on the State capitol to fit it for occupation, find that a bill was presented for said work, amounting to \$6,236.38. They also find in the appropriation bill of 1858 that the amount of the bill was paid, less \$1,433, which was deducted as an overcharge. This deduction as an overcharge is the ground of the present claim. The officers of the State evidently paid what they conceived to be a fair price for the work at the time, and your committee are not disposed to revise their action, or encourage the presentation of claims that have slept quietly for over twenty years without an effort for collection. They, therefore, return the petition to the Senate, and ask to be relieved of any further consideration of the subject.

ALFRED HEBARD, *Chairman.*

The report of the committee was adopted.

Senate File No. 98, a bill for an act to repeal chapter 115, laws of the Eighteenth General Assembly, and to enact a substitute therefor, in relation to the compensation of sheriffs, was taken up, considered, and ordered passed on file.

## INTRODUCTION OF BILLS.

Senator Nichols of Guthrie introduced Senate File No. 298, a bill for an act authorizing boards of supervisors to appropriate amounts received as insurance thereon, in constructing public buildings destroyed by fire, wind, and lightning.

Read a first and second time.

On motion of Senator Nichols of Guthrie the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Gillett, Hall,

Harmon, Hartshorn, Hebard, Henderson, Kamrar, Keller, Larrabee, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Poyneer, Prizer, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wilson, and Wright—34.

The nays were—None.

Absent or not voting:

Senators Bills, Cotton, Garber, Graves, Greenlee, Hemenway, Hunt, Hutchison, Johnson, Logan, Nichols of Benton, Patrick, Robinson, Russell of Greene, Wall and Whaley—16.

So the bill passed, and the title was agreed to.

Senate File No. 79, a bill for an act for the prevention of glanders, was taken up and returned to the file.

House File No. 63, a bill for an act to amend section 3072, chapter 2, title 18 of the Code, relating to exemptions, with report of the committee recommending that it be amended by adding thereto after the word "thereon" in last line of section 1 the words "unless failing or refusing so to do when required to make such designation or selection by the officer about to levy," and when so amended it do pass, was taken up and considered.

The report of the committee was adopted.

On motion of Senator Hall the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hebard, Henderson, Kamrar, Keller, Larrabee, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Poyneer, Prizer, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wilson, and Wright—35.

The nays were—None.

Absent or not voting.

Senators Arnold, Cotton, Garber, Graves, Hemenway, Hunt, Hutchison, Johnson, Logan, Nichols of Benton, Patrick, Robinson, Russell of Greene, Wall, and Whaley—15.

So the bill passed, and the title was agreed to.

#### INTRODUCTION OF BILLS.

Senator Rothert, by consent, introduced Senate File No. 299, a bill for an act to amend chapter 83 of the acts of the Seventeenth General Assembly, amendatory of section 4785 of the Code in relation to the support of convicts.

Read a first and second time and referred to the Committee on Appropriations.

Also, Senate File No. 300, a bill for an act to repeal section 518, chapter 10, title 4 of the Code, and to enact a substitute therefor.

Read a first and second time and referred to the Committee on Municipal Corporations, and ordered printed.

Also, Senate File No. 301, a bill for an act to repeal section 532, chapter 10 of the Code, and to enact a substitute therefor.

Read a first and second time and referred to the Committee on Municipal Corporations, and ordered printed.

Senate File No. 178, an act amending section 2340, of the Code of 1873, in relation to the proving of wills, was taken up with the report of the committee recommending indefinite postponement, and the report of the committee was adopted.

Senate File No. 61, a bill for an act to regulate time of paying taxes, was taken up, and on motion the report of the committee recommending indefinite postponement, was adopted.

Senate File No. 131, a bill for an act to regulate admission to practice as attorneys and counselors in the courts of Iowa.

The pending question being on the adoption of an amendment offered by Senator Larrabee to strike from the fourth and fifth lines of section 3 the words "actually and in good faith devoted the time herein before required to the study of law and."

Senator Larrabee's amendment was lost.

All after the word "State," in line seven, section 5 of the printed copy, was stricken out.

On motion of Senator Smith the words "upon motion entered of record" was inserted after the word "court," in the second line of section 8.

Senator Larrabee offered an amendment to the bill by striking out all after the enacting clause and inserting the following in lieu thereof:

WHEREAS, Any woman or man, whether of a good moral character or not, has been, since the organization of our State government, and is now, permitted to plead his own case in any court within this State, and experience has proved the wisdom of such law; and

WHEREAS, It is consistent, if it is proper to permit a person the privilege of pleading his own case in court, to permit him the privilege of selecting any other person to act in his stead; therefore,

SECTION 1. That hereafter any person of sound mind shall be permitted to practice in all of the courts within this State.

On the adoption of which amendment the yeas and nays were demanded, and

The yeas were:

Senators Abraham, Larrabee, Poyneer, and Russell of Jones—4.

The nays were:

Senators Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hebard, Henderson, Johnson, Kamrar, Keller, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Rothert, Shrader, Smith, Sudlow, Tirrill, Wilson, and Wright—34.

Absent or not voting.

Senators Cotton, Garber, Graves, Hemenway, Hunt, Hutchison, Logan, Nichols of Benton, Robinson, Russell of Greene, Wall, and Whaley—12.

So the amendment was lost.

Senator Tirrill moved that further consideration of the bill be postponed for the present.

The motion was not agreed to.

On motion of Senator Brown of Keokuk the words "of record" were inserted in the second line of section 1, after the word "court."

On motion of Senator Arnold, the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Gillett, Harmon, Hebard, Henderson, Johnson, Kamrar, Keller, Mitchell, Nichols of Guthrie, Prizer, Rothert, Shrader, Wilson, and Wright—20.

The nays were:

Senators Abraham, Baker, Clark of Wayne, Dashiell, Greenlee, Hall, Hartshorn, Larrabee, Marshall, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Russell of Jones, Sudlow, and Tirrill—17.

Absent or not voting:

Senators Cotton, Garber, Graves, Hemenway, Hunt, Hutchison, Logan, Nichols of Benton, Robinson, Russell of Greene, Smith, Wall, and Whaley—13.

So the bill was lost.

Senator Larrabee moved that the Senate reconsider the vote by which Senate File No. 297, a bill for an act in relation to dividing the State of Iowa into Congressional Districts was lost, which motion was agreed to.

On motion of Senator Larrabee the vote was reconsidered by which the eleventh rule was suspended and the bill read a third time.

Senator Larrabee had leave to withdraw his motion to suspend the rule and read the bill a third time, and the bill was referred to the Committee on Congressional Districts.

Senate resolution in regard to printing a new edition of the Constitution of 1857, was taken up, considered, and on motion of Senator Brown of Van Buren ordered passed on file.

#### HOUSE MESSAGES.

On motion of Senator Brown of Keokuk House messages were taken up.

Substitute for House File No. 46, a bill for an act to provide for the trimming, cutting, and keeping in order hedge fences along public highways.

Read a first and second time and referred to the Committee on Agriculture.

House File No. 381, a bill for an act to legalize the organization and acts of the independent district of Omaha, in Pilot township, Iowa county, Iowa.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 391, a bill for an act to legalize certain proceedings of the city council of the city of Pella, in the county of Marion, and the State of Iowa, with regard to the purchase of a public square.

Read a first and second time and referred to the Committee on Judiciary.

Joint resolution asking Congress to pension the soldiers of the Mexican War.

Read a first and second time.

On motion of Senator Clark of Wayne the rule was suspended and the joint resolution was read a third time.

The question being, shall the joint resolution pass.

Senator Bills moved that the joint resolution be referred to the Committee on Federal Relations.

On which question the yeas and nays were demanded.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Keokuk, Dashiell, Hall, Harmon, Hartshorn, Hebard, Henderson, Johnson, Keller, Mitchell, Nichols of Muscatine, Nielander, Parker, Poyneer, Prizer, Russell of Jones, Shrader, Sudlow, Wilson, and Wright—24.

The nays were:

Senators Boling, Brown of Van Buren, Clark of Page, Clark of Wayne, Gillett, Greenlee, Kamrar, Marshall, Nichols of Guthrie, Patrick, Rothert, Smith, and Tirrill—13.

Absent or not voting:

Senators Cotton, Garber, Graves, Hemenway, Hunt, Hutchison, Larabee, Logan, Nichols of Benton, Robinson, Russell of Greene, Wall, and Whaley—13.

So the resolution was referred to the Committee on Federal Relations, passed, and the title was agreed to.

Joint resolution referring to the proceeds of sales of swamp lands.

Read a first and second time and referred to the Committee on Public Lands.

House File No. 448, a bill for an act to provide for the payment of the expenses of the committee appointed to escort the remains of the late W. E. Webster to his home at Clarinda, Iowa.

Read a first and second time and referred to the Committee on Appropriations.

On motion of Senator Johnson House File No 4 was taken up and made a special order for Wednesday next at 4 o'clock P. M.

Senate File No. 67, a bill for an act enabling townships, incorporated towns and cities to aid in building county bridges in certain cases, was taken up and considered. The committee recommend amendments as follows:

By inserting after the word "bridges," in fourth line of section 1, the words "when the estimated cost of the same is not less than ten thousand dollars, as fixed by the board of supervisors." Also, by striking out the word "freeholder," in the fourth line of section 2, and inserting in lieu thereof the word "property." Also, by adding to section 3 the following words: "nor shall it exceed one-half the estimated cost of the bridge sought to be aided, as fixed by the board of supervisors." And when so amended it do pass.

The amendments recommended by the committee were adopted, and the bill was ordered engrossed.

Senate File No. 197, a bill for an act to amend section 215 of the Code of Iowa, with report of committee recommending amendment by adding to the title the words "in relation to attorney's fees," and that when so amended it do pass.

The amendments recommended by the committee were adopted, and the bill was ordered engrossed.

Senate File No. 136, a bill for an act requiring notices to cities and



towns for damages for injuries sustained on sidewalks, with report of committee recommending it do pass, was taken up and considered.

The bill was amended by inserting after the word "town," in line two, section 1, the words "including cities acting under special charters," on motion of Senator Henderson.

On motion of Senator Wilson the publication clause was stricken out.

On motion of Senator Henderson the rule was suspended, and the bill was read a third time

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Van Buren, Clark of Page, Clark of Wayne, Dasbiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hebard, Henderson, Johnson, Kamrar, Keller, Larrabee, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, and Wilson—34.

The nays were:

Senators Brown of Keokuk and Wright—2.

Absent or not voting:

Senators Baker, Cotton, Garber, Graves, Hemenway, Hunt, Hutchison, Logan, Nichols of Benton, Robinson, Rothert, Russell of Greene, Wall, and Whaley—14.

So the bill passed, and the title was agreed to.

On motion of Senator Smith, at 5 o'clock and thirty minutes, the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 7, 1882. }

The Senate convened pursuant to adjournment, and was called to order by the President.

Prayer by Rev. W. H. Van Antwerp.

The journal was read in part, when, on motion, the further reading was dispensed with.

#### PETITIONS AND MEMORIALS.

Senator Nichols of Guthrie presented a petition asking that the Constitution of this State be so changed as to establish the equal political rights of all citizens irrespective of sex.

Ordered passed on file.

Senator Clark of Wayne presented a petition on the same subject, which was also passed on file.

#### RESOLUTIONS.

Senator Sudlow offered the following memorial and joint resolution, relative to pensioning the survivors of the Thirty-seventh Regiment of Iowa Volunteer Infantry or Graybeards:

WHEREAS, There was mustered into the United States service on the 15th day of December, 1862, the Thirty-seventh Regiment of Iowa Volunteer Infantry, better known as the Graybeards; and,

WHEREAS, Said soldiers served their country faithfully until the close of the war; and,

WHEREAS, The few remaining survivors of said regiment are all of them advanced in years, and many of them in destitute circumstances; therefore, in view of their noble and patriotic services,

*Be it resolved by the General Assembly of the State of Iowa*, That our Senators and Representatives in Congress are hereby requested to use their influence to procure the passage of an act at as early a date as practicable, granting pensions to survivors as are not entitled to pensions under existing laws.

That the Secretary of State be respectfully requested to forward to each of our Senators and Representatives in Congress a copy of this resolution.

Referred to the Committee on Federal Relations.

Senator Clark of Wayne offered the following resolution:

*Resolved*, That all the money should be issued by the government; labor should be protected by National and State authority; the eight hour law should be enforced; the bonds of the United States should not be repudiated, but paid as they become due in the lawful money of the United States; legal tenders should be substituted for national bank notes; the Burlingame Treaty should be abrogated; the public domain should be reserved for actual settlers; Congress should regulate State commerce; denouncing railroad, land, and moneyed corporations, as monopolies; men who loaned them money should never be preferred to soldiers; demands a graduated income tax; opposes an increase of the standing army; favors placing all representatives of the people on an equal footing; demands a government of the people, by the people, and for the people.

Referred to the Committee on Federal Relations.

#### INTRODUCTION OF BILLS.

By Senator Wright, Senate File No. 302, a bill for an act to amend sections 522 and 535 of the Code in relation to city auditor and city clerk.

Read a first and second time and referred to the Judiciary Committee.

By Senator Hall, Senate File No. 303, a bill for an act authorizing boards of supervisors to grade, pave, and macadamize, and otherwise improve public highways.

Read a first and second time and referred to the Committee on Highways.

By Senator Shrader, Senate File No. 304, a bill for an act to provide for the publication and distribution of the proceedings of the Iowa State Medical Society.

Read a first and second time and referred to the Committee on Ways and Means.

Also, Senate File No. 305, a bill for an act to provide for the publication and distribution of the proceedings of the Iowa State Improved Stock-Breeders' Association.

Read a first and second time and referred to the Committee on Ways and Means.

REPORTS OF COMMITTEES.

Senator Hartshorn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 277, a bill for an act to repeal sections 1784 and 1785 of the Code, relating to the duties of county treasurers, and to enact substitutes therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "and shall render him a statement of the amount uncollected," being the last clause of section 1 of said bill, and that when so amended it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 259, a bill for an act to legalize the sale of certain school lands in Monroe county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "are" in the second line of section 1, and inserting the word "is" in lieu thereof; also, that all after the word "with" in the seventh line down to and including the word "with" in the thirteenth line, be stricken out; and when so amended it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 282, a bill for an act to enable townships to establish high schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Senator Bills, from the Committee on Retrenchment, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment, to whom was referred Senate File No. 246, a bill for an act limiting the amount on which appeals may be taken before justices of the peace to the Circuit Court in civil cases, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BILLS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Retrenchment, to whom was

referred Senate File No. 213, a bill for an act to repeal chapter 76 of the acts of the Eighteenth General Assembly, relating to hotel and boarding-house keepers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BILLS, *Chairman.*

Ordered passed on file.

Senator Wilson, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Senate resolution by Clark of Wayne, relative to pensioning soldiers of Mexican War, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that a similar resolution has been recommended favorably by this committee.

WILSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred House resolution instructing our Senators and requesting our Representatives in Congress to use their influence to secure the passage of a law giving pensions to surviving soldiers of the Mexican War, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

WILSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution by Nichols of Guthrie, relative to pensioning soldiers of the Mexican War, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that a House resolution embodying the same in substance has been favorably recommended by this committee.

WILSON, *Chairman.*

Ordered passed on file.

Senator Wright, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 296, a bill for an act to legalize the organization and official proceedings of the independent district of Castalia, Winneshiek county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 268, a bill for an act legalizing the appointment of

executors, administrators, guardians, and appraisers, heretofore made by the clerks of the various Circuit Courts of this State, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 283, a bill for an act to repeal section 3296 of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the publication clause thereof, and when so amended it do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 253, a bill for an act to amend section 1923, chapter 4, title 13 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House File No. 235, a bill for an act to repeal section 3900 of the Code of 1873, and to enact a substitute therefor, in relation to offenses against property, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 3, a bill for an act to suppress the circulation and vending of obscene literature and articles of indecent and immoral use, and to confiscate such property used, or designed to be, in the manufacture of such articles, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows; viz., by inserting after the word "used," and before the word "in," in the fifth line of section 3 thereof, the words "with the knowledge and consent of the owner." Also, insert after the word "thereof," at the end of fourteenth line, 3d section, the words "in the same manner as in attachment of personal property before justices of the peace." Also, strike out from nineteenth and twentieth lines, section 3, the words "which time shall not be less than two nor more than three days after the date of said notice." Also, insert after the word "de-

stroy," in the twenty-first line, section 3, the words "such of." Also, insert after the word "seized," in the twenty-first line, section 3, the words "as are not valuable and property for legitimate sale, and to sell the balance, if any, as property is sold on execution, and the court shall apply the proceeds to the payment of costs, and the proceeds, if any, shall be disposed of as fines and forfeitures." And when so amended it do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House File No. 105, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of West McGregor, Clayton county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Senator Johnson, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred a joint resolution proposing to amend section 1, of article 2, of the Constitution of the State of Iowa, beg leave to report that they have had the same under consideration, and a majority vote of your committee have instructed me to report the same back to the Senate with the recommendation that it be agreed to.

J. K. JOHNSON, *Chairman.*

Ordered passed on file.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill with amendment in which the concurrence of the Senate is asked:

Senate File No. 67, a bill for an act to repeal chapter 152, of the acts of the Sixteenth General Assembly, and chapter 164 of the acts of the Eighteenth General Assembly, and to provide for the establishment and maintenance of the Institution for Feeble-Minded Children at Glenwood, Iowa, with the following amendment: Strike out the word "treasurer" in line 14, section 10, and insert the word "auditor."

A. W. RENSHAW, *Second Assistant Clerk.*

#### HOUSE MESSAGES.

On motion of Senator Clark of Page, House message on Senate File No. 67, was taken up and considered.

Senator Clark of Page moved that the Senate concur in the House amendment, on which question the roll was called.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk,

Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Greenlee, Hall, Harmon, Hartshorn, Henderson, Hunt, Hutchinson, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Niellander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wilson, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Garber, Graves, Hebard, Hemenway, Wall, and Whaley—6.

So the Senate concurred.

#### INTRODUCTION OF BILLS.

By leave, Senator Tirrill introduced Senate File No. 306, a bill for an act to legalize the proceedings of the town council of the incorporated town of Manchester, Delaware county Iowa, in relation to allowing or paying claims.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Hall, by consent, Senate File No. 307, a bill for an act to amend section 1141, chapter 4, title 9 of the Code, relating to annual statement of fire insurance companies.

Read a first and second time and referred to the Committee on Insurance.

Senator Brown of Keokuk, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 55, being a bill for an act regulating the crossing of highways by railroad companies.

Also, Senate File No. 197, a bill for an act to amend section 215 of the Code of Iowa, in relation to attorney's liens.

And find the same correctly engrossed.

C. M. BROWN, *Chairman*.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval Senate File No. 248, a bill for an act requiring the cost of paving street and alley intersections in certain cities to be paid out of a general fund and authorizing the levy of a special tax therefor.

Senate File No. 281, a bill for an act to legalize the incorporation of the town of Clarinda, and the corporate acts thereof.

Senate File No. 22, a bill for an act to insure the better education of the practitioners of dentistry in the State of Iowa.

Senate File No. 39, a bill for an act relating to the trial of equitable actions amending section 2742, chapter 9, title 17 of the Code of Iowa as amended by chapter 145 of the laws of the Seventeenth General Assembly.

T. E. CLARK, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report

that they have examined Senate File No. 1, a bill for an act to amend section 890 of the Code relating to the redemption of taxsales.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Senator Russell of Jones moved a reconsideration of the vote by which substitute for Senate File No. 83 was lost on its passage on yesterday, a bill for an act in relation to the State Board of Health, which motion was agreed to.

#### SPECIAL ORDER.

The time for consideration of the special order having arrived, Senator Bills moved that the same be postponed until the bill under consideration shall be disposed of, which prevailed.

The question being, shall the bill pass?

The following named Senators were excused from voting on the passage of the bill; viz.,

Nichols of Benton, Nichols of Guthrie, Parker, Poyneer, Robinson, Rothert, and Hunt.

The yeas were:

Senators Abraham, Arnold, Bills, Brown of Keokuk, Clark of Wayne, Cotton, Hall, Harmon, Hebard, Henderson, Johnson, Keller, Mitchell, Nichols of Muscatine, Nielander, Patrick, Prizer, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, and Wright—23.

The nays were:

Senators Boling, Brown of Van Buren, Clark of Page, Dashiell, Gillett, Greenlee, Hutchison, Kamrar, Larrabee, Logan, Marshall, and Wilson—12.

Absent or not voting:

Senators Baker, Garber, Graves, Hartshorn, Hemenway, Hunt, Nichols of Benton, Nichols of Guthrie, Parker, Poyneer, Robinson, Rothert, Russell of Greene, Wall, and Whaley—15.

So the bill did not pass.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and have been duly enrolled, and signed by the Speaker of the House:

House File No. 153, a bill for an act to legalize the acknowledgments taken and certified by Isaiah Doane, mayor of the incorporated town of Webster City, Iowa.

House File No. 275, a bill for an act to legalize the reorganization and incorporation of the town of Princeton, Scott county, Iowa.

Senate File No. 39, a bill for an act relating to the trial of equitable actions, amending section 2742, chapter 9, title 17 of the Code, as amended by chapter 145 of the laws of the Seventeenth General Assembly.

Senate File No. 22, a bill for an act to insure the better education of practitioners of dentistry in the State of Iowa.

Senate File No. 281, a bill for an act to legalize the incorporation of the town of Clarinda, and the corporate acts thereof.



Senate File No. 248, a bill for an act requiring the cost of paving street and alley intersections in certain cities to be paid out of a general paving fund, and authorizing the levy of a special tax therefor.

R. B. BAIRD, *Assistant Clerk*.

#### RECONSIDERATION OF VOTE.

Senator Hall moved a reconsideration of the vote by which Senate File No. 131 was lost on its passage, being a bill for an act to regulate admission to practice as attorneys and counselors in the courts of Iowa, and that the Senate consider the question at its pleasure.

Senator Hartshorn moved as an amendment that the bill be considered now.

The amendment was agreed to and the motion as amended prevailed.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Gillett, Hall, Harmon, Hartshorn, Hebard, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Mitchell, Nichols of Guthrie, Prizer, Robinson, Rothert, Russell of Greene, Shrader, Smith, Wilson, and Wright—26.

The nays were.

Senators Abraham, Clark of Wayne, Dashiell, Greenlee, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Russell of Jones, Sudlow, and Tirrill—16.

Absent or not voting:

Senators Baker, Garber, Graves, Hemenway, Wall, and Whaley—6.  
So the bill passed, and the title was agreed to.

#### SPECIAL ORDER.

The time for the special order having arrived it being the consideration of Senate File No. 60, a bill for an act establishing the Supreme Court at the capital of the State and fixing the terms thereof, with the report of the committee recommending that it be amended by inserting after the word "court" in line thirteen, section 1, "the court shall remain in session until all causes submitted to them have been decided except where a re-argument is ordered, and the consideration and determination of cause shall be by all judges, and the court shall not remit any cause to any one of the judges for examination or decision," and as so amended it do pass.

Senator Russell of Greene offered the following as a substitute for the amendment recommended by the committee; viz., "the court shall remain in session until it is determined what the opinion of the court shall be in all causes submitted to it, except where a re-argument is ordered. The consideration and determination of causes shall be by the court, and the court shall not remit any cause to any one of the judges for examination or decision."

The substitute for the amendment recommended by the committee was adopted.

Senator Russell of Greene offered a further amendment to strike out the words "a term on the first Monday of each month except July and

August," and insert "five terms a year as follows: On the second Tuesday of January, and the first Tuesday of March, May, September, and November.

The amendment was agreed to.

On motion of Senator Hall the bill was amended by adding the following:

"Judgments of affirmance or reversal, and other orders and rulings of the court in causes submitted, may be made and entered at any time, regardless of the terms of the court."

Senator Bills proposed the following, to be added to the bill as section 2, which was lost.

SEC. 2. After the first day of June, 1883, the judges of the Supreme Court shall reside at the capital, and shall consider and decide cases submitted to them sitting together at their rooms at that place.

Senator Graves offered an amendment to be added to the bill, as follows:

"Providing this act shall not be in force until the new capitol is ready for occupancy."

The amendment was not agreed to.

The words "of the Code of 1873" were inserted after the figures "136," in the first line of section 1.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House File No. 80, a bill for an act to amend sections 2, 4, 7, and 11, and to repeal sections 8, 9, 10, 13, 14, and 19, of chapter 202, acts of the Eighteenth General Assembly, and to enact a substitute therefor.

Also, that the House has passed a substitute for Senate File No. 113, a bill for an act to increase the number of circuit judges in each circuit of the State containing a city having a population in excess of 22,300, and to provide for the election of said judges.

R. B. BAIRD, *Assistant Clerk*.

The question being on the engrossment of the bill, Senator Hall moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Gillett, Greenlee, Hall, Hartshorn, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Prizer, Robinson, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, and Wilson—32.

The nays were:

Senators Baker, Bills, Cotton, Graves, Harmon, Larrabee, Logan, Marshall, Nielander, Parker, Rothert, Tirrill, and Wright—13.

House File No. 244, a bill for an act empowering cities under special charter to establish boards of health.

Also, House passed without amendment, Senate File No. 298, a bill for an act authorizing boards of supervisors to appropriate amounts received as insurance thereon in reconstructing public buildings destroyed by fire, wind, or lightning.

Also, Senate File No. 152, a bill for an act to legalize certain proceedings, orders, and judgments of the District and Circuit Courts of the Fifth Judicial District, with the following amendment: adding to publication clause "without expense to the State."

Also, without amendment, Senate File No. 158, a bill for an act to legalize the sale of a certain tract of school lands in Allamakee county, Iowa.

Also, substitute for Senate File No. 179, a bill for an act to legalize the incorporation of the town of Bradyville and the corporate acts thereof, and the acts of its officers.

Also, Senate File No. 107, a bill for an act authorizing the location of a highway across land belonging to the State of Iowa.

Substitute for House File No. 67, a bill for an act to extend the time for paying the indebtedness of the Orphan Asylum at Andrew to the State.

House File No. 234, a bill for an act to repeal section 457 of the Code of 1873, relating to the powers of cities and towns, and to enact a substitute therefor.

House File No. 285, a bill for an act to amend section 1862, and to repeal section 1865 of the Code.

House File No. 268, a bill for an act to amend section 1733 of the Code, requiring the board of directors to provide a certain form of order book for the use of their district.

House File No. 253, a bill for an act amending section 4511 of the Code of 1873.

Substitute for House File No. 202, a bill for an act to amend section 463 of the Code of 1873, relating to the sale of liquors in cities and incorporated towns.

House File No. 200, a bill for an act amending section 3389 of the Code, and providing for the issuing and serving of writs of injunction on Sunday.

House File No. 201, a bill for an act to provide for filling vacancies in offices of incorporated towns.

House File No. 265, a bill for an act to amend, section 4036 of the Code of 1873 in relation to the adulteration of food.

House File No. 93, a bill for an act to repeal sections 3786 and 3815 of the Code, relating to the payment of fees into the county treasury, and to enact a substitute therefor.

Substitute for House Files Nos. 228 and 255, a bill for an act to amend sections 843, 853, and 857 of the Code, in relation to the time of the delivery to the county treasurer of the taxlist, the time taxes become a lien on real estate, and time of the payment thereof.

House File No. 5, a bill for an act to repeal section 866, chapter 2, title 6 of the Code, and enacting a substitute therefor, and amending section 871 of the same chapter and title.

House File No. 226, a bill for an act granting local mutual insurance companies authority to hold a fund for the payment of losses.

House File No. 298, a bill for an act to provide for the attendance of the children of soldiers and sailors at the State University free of tuition.

Also, the following concurrent resolution relative to mining under Capitol Square and Governor's Square, in the city of Des Moines, Iowa.

E. C. HAYNES, *Chief Clerk.*

#### INTRODUCTION OF BILLS.

By Senator Hartshorn, Senate File No. 310, a bill for an act to legalize the organization and acts of the Humboldt Collegiate Association.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Clark of Page, with a petition accompanying, Senate File No. 311, a bill for an act to reimburse Samuel Chandler, sheriff of Fremont county, and Daniel Farroll, sheriff of Mills county, for money expended in arresting Polk Wells and Wm. Norris, the Riverton bank robbers.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Robinson, Senate File No. 312, a bill for an act to provide for the appointment and salary of a deputy clerk of the Supreme court.

Read a first and second time, and referred to the Committee on Judiciary.

Also, by request, Senate File No. 313, a bill for an act to increase the compensation of the Deputy Register of the State Land-office.

Read a first and second time and referred to the Committee on Compensation of Public Officers,

By Senator Bills, Senate File No. 314, a bill for an act authorizing the Executive Council to sell and convey an island newly formed by accretion in the Mississippi River, and located in sections 34 and 35, town 78, range 3 east of the 5th P. M., in Scott county, Iowa.

Read a first and second time and referred to the Committee on Public Lands.

By Senator Rothert, Senate File No. 315, a bill for an act to prohibit any city or town, whether specially incorporated or not, charging any levee or wharfage dues; additional and amendatory to the Code of Iowa, 1873, chapter 10, title 4, of cities and incorporated towns.

Read a first and second time and referred to the Committee on Municipal Corporations.

Senator Nichols of Guthrie moved that the Senate take up for consideration Senate File No. 189, a bill for an act authorizing the purchase of grounds by the State for the use of the State fair, and appropriating money to pay therefor.

Senator Harmon moved to amend the motion by striking out the number and title of the bill and inserting the following: "207, a bill for an act authorizing the election of commissioner of highways, defining his duties and those of other township officers, in relation to the working of highways, and repealing chapter 2 and section 968 of the Code, and chapter 52 of the acts of the Eighteenth General Assembly."

The amendment was disagreed to.

The question recurred upon the motion moved by Senator Nichols of Guthrie, and the same was lost.

#### REPORTS OF COMMITTEES.

Senator Smith, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 212, a bill for an act to transfer insurance matters from the Auditor of State to the Register of the State Land-office, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. Y. SMITH, *Chairman pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 117, a bill for an act to amend section 1144, chapter 4, title 9 of the Code, relating to mutual insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. Y. SMITH, *Chairman pro tem.*

Ordered passed on file.

Senator Rotherth, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 263, a bill for an act to prevent accidents at railroad crossings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "and in plain sight of the same" of section 1; also, by adding to section 1 the following words: and no such train shall be allowed to stop or stand on any such crossing or intersection"; also, by inserting after the word "engineer" in section 2, the words "willfully or negligently," and that when so amended it do pass.

HENRY W. ROTHERTH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 123, a bill for an act relative to the employment by railroad companies of persons affected with defective sight or color blindness, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

HENRY W. ROTHERTH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 226, a bill for an act to repeal sections 2 and 8, of chapter 77, acts of the Seventeenth General Assembly, relating to

the appointment of railroad commissioners, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 16, a bill for an act to repeal sections 1 and 2, of chapter 68 of the acts of the Fifteenth General Assembly, and enact a substitute therefor, making a new classification of railroads, and establishing maximum rates of passenger tariffs, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 245, a bill for an act to repeal section 1289, chapter 5, title 10 of the Code, in relation to fencing railway track, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Senator Wright, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 308, a bill for an act to legalize certain acts of the board of supervisors of Wapello county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. F. WRIGHT, *Chairman pro tem*.

Ordered passed on file.

Senator Kamrar, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred memorial and joint resolution asking that our Senators and Representatives in Congress be respectfully requested and urged to use all lawful means to procure the passage of an act by the Congress of the United States confirming the title of these lands in the State of Iowa as a perpetual endowment fund of the State University located at Iowa City, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

KAMRAR, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Lands, to whom was

The amendment was disagreed to.

The question recurred upon the motion moved by Senator Nichols of Guthrie, and the same was lost.

#### REPORTS OF COMMITTEES.

Senator Smith, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 212, a bill for an act to transfer insurance matters from the Auditor of State to the Register of the State Land-office, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. Y. SMITH, *Chairman pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 117, a bill for an act to amend section 1144, chapter 4, title 9 of the Code, relating to mutual insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. Y. SMITH, *Chairman pro tem.*

Ordered passed on file.

Senator Rotherth, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 263, a bill for an act to prevent accidents at railroad crossings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "and in plain sight of the same" of section 1; also, by adding to section 1 the following words: and no such train shall be allowed to stop or stand on any such crossing or intersection"; also, by inserting after the word "engineer" in section 2, the words "willfully or negligently," and that when so amended it do pass.

HENRY W. ROTHERTH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 123, a bill for an act relative to the employment by railroad companies of persons affected with defective sight or color blindness, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

HENRY W. ROTHERTH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 226, a bill for an act to repeal sections 2 and 8, of chapter 77, acts of the Seventeenth General Assembly, relating to

the appointment of railroad commissioners, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 16, a bill for an act to repeal sections 1 and 2, of chapter 68 of the acts of the Fifteenth General Assembly, and enact a substitute therefor, making a new classification of railroads, and establishing maximum rates of passenger tariffs, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 245, a bill for an act to repeal section 1289, chapter 5, title 10 of the Code, in relation to fencing railway track, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Senator Wright, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 308, a bill for an act to legalize certain acts of the board of supervisors of Wapello county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. F. WRIGHT, *Chairman pro tem*.

Ordered passed on file.

Senator Kamrar, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred memorial and joint resolution asking that our Senators and Representatives in Congress be respectfully requested and urged to use all lawful means to procure the passage of an act by the Congress of the United States confirming the title of these lands in the State of Iowa as a perpetual endowment fund of the State University located at Iowa City, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

KAMRAR, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Lands, to whom was



referred joint resolution and memorial in relation to the lands granted to the State of Iowa, for the construction of a railroad from Sioux City to the Minnesota line, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting after the word "lands" in the eighteenth line of the third page the words following; to-wit, "or provide for such other disposal of said lands as in their judgment shall be to the interest of the State of Iowa."

KAMRAB, *Chairman.*

Ordered passed on file.

Senator Brown of Keokuk, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined substitute for House File No. 419, being a bill for an act to appropriate money to T. Whiting for lease of property to the Girls' Department of the Reform School.

And find the same correctly engrossed.

C. M. BROWN, *Chairman.*

Senator Parker, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate File No. 309, a bill for an act to amend section 1, chapter 92, acts of the Eighteenth General Assembly, entitled an act to amend section 10, chapter 70, acts of the Sixteenth General Assembly, relating to the propagation of fish, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. G. PARKER, *Chairman.*

Ordered passed on file.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 304, a bill for an act to provide for the publication and distribution of the proceedings of the Iowa State Medical Society, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding to the last section of the bill the words "and shall not exceed three hundred pages in number."

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 305, a bill for an act to provide for the publication and distribution of the proceedings of the Iowa State Improved Stock-Breeders' Association, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding to the last section of the bill the words "and shall not exceed three hundred pages in number."

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 245, a bill for an act in relation to fencing railway tracks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Railroads.

LARRABEE, *Chairman.*

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 231, a bill for an act to legalize the sale of certain school land in Buena Vista county.

Senate File No. 166, a bill for an act to legalize the independent school district of Volga City, Clayton county, Iowa.

House File No. 252, a bill for an act to legalize the incorporation of the town of Aurelia, Cherokee county, and the election of its officers, and all acts done and ordinances passed by the council of said town.

House File No. 135, a bill for an act to provide for the construction of levees, by amending sections 1207, 1208, 1209, 1210, and 1211 of chapter 2, title 10 of the Code of 1873, and chapter 140 of the laws of the Sixteenth General Assembly, and chapter 121 of the laws of the Seventeenth General Assembly, and chapter 85 of the laws of the Eighteenth General Assembly, relating to drains, ditches, and water-courses.

House File No. 430, a bill for an act to provide for the presentation of a gold medal and \$200, with thanks of the General Assembly, to Miss Kate Shelly.

House File No. 241, a bill for an act to repeal section 1739 of the Code of 1873, and to enact a substitute in relation to the duties of the president of the board of school directors.

Senate File No. 1, a bill for an act to amend section 890 of the Code, relating to the redemption of taxsales.

Senate File No. 231, a bill for an act to legalize the sale of certain school land in Buena Vista county.

Senate File No. 166, a bill for an act to legalize the independent school district of Volga City, Clayton county, Iowa.

And find the same correctly enrolled.

T. E. CLARK, *Chairman.*

#### SECOND READING OF BILLS.

Senator Rothert moved that Senate File No. 309, a bill for an act to amend section 1, chapter 92, acts of the Eighteenth General Assembly, entitled an act to amend section 10, chapter 70, acts of the Sixteenth General Assembly, relating to the propagation of fish, be taken up and considered, which motion prevailed.

The committee recommend that the bill do pass.

Senator Rothert moved that the rule be suspended, and the bill be

considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Cotton, Garber, Gillett, Graves, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Parker, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—38.

The nays were:

Senator Nielander—1.

Absent or not voting:

Senators Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Greenlee, Hall, Hebard, Nichols of Benton, Nichols of Guthrie, Patrick, and Wall—11.

So the bill passed, and the title was agreed to.

On motion of Senator Russell of Jones, substitute for Senate Files Nos. 6 and 18, being a bill for an act to establish the Iowa State Department of Industry, was taken up and considered.

The committee recommend that the bill do pass.

Senator Russell of Jones moved that the substitute be treated as an original bill introduced by the Committee on Agriculture, which was agreed to.

The bill was read a first and second time.

On motion of Senator Russell of Jones the bill was considered by sections.

Section 2 was amended on motion of Senator Greenlee by adding in line three thereof after the word "office" the following: "who shall be a practical agriculturalist, and at the time of his appointment actively engaged in agricultural pursuits."

On motion of Senator Nichols of Muscatine, the words "from their own number" were stricken from lines number two and nine.

Senator Shrader offered the following as a substitute for the bill:

*Be it enacted by the General Assembly of the State of Iowa:*

Section 1104 of the Code of 1873 shall be so amended as to read as follows from and after the close of that section, and shall become a part of said section:

"The salary of the secretary shall be \$2,200 per annum. He shall also be furnished stationery, postage stamps, expressage funds, and clerical help necessary to meet the demands of his office, not exceeding for such purpose the sum of \$1,200 per annum. He shall organize and carry on a system of monthly crop reports, under the direction of the board of directors, securing their monthly publication at as early a date as possible, and in the manner which the board of directors may deem best, but at no expense to the State. For the necessary expense attending the gathering of these reports he shall be allowed the sum of \$1,200 per annum, no part of which shall be used for his personal service. His salary shall be paid as other salaries are paid, on his own requisition, but the allowance of stationery, postage stamps, expressage funds, clerical help, and expenses of gathering crop reports, shall be paid on the requisition of the president and secretary."

The question being on the adoption of the substitute, the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Garber, Graves, Greenlee, Harmon, Hebard, Henderson, Hunt, Hutchison, Kamrar, Keller, Marshall, Mitchell, Nielander, Rothert, Shrader, and Wright—22.

The nays were:

Senators Abraham, Bills, Clark of Page, Cotton, Dashiell, Gillett, Hartshorn, Hemenway, Johnson, Larrabee, Logan, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, and Wilson—25.

Absent or not voting:

Senators Hall, Nichols of Benton, and Wall—3.

So the substitute was not adopted.

The several sections of the printed bill were adopted without amendment, except the amendments stated above.

Senator Russell of Jones moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Bills, Cotton, Garber, Gillett, Harmon, Hartshorn, Hemenway, Johnson, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Robinson, Russell of Greene, Russell of Jones, Smith, Sudlow, Whaley, and Wilson—21.

The nays were;

Senators Abraham, Arnold Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Graves, Greenlee, Hebard, Henderson, Hunt, Hutchison, Kamrar, Keller, Logan, Marshall, Mitchell, Nielander, Prizer, Rothert, Shrader, Tirrill, and Wright—25.

Absent or not voting:

Senators Baker, Hall, Nichols of Benton, and Wall—4.

So the bill did not pass.

#### REMONSTRANCE.

Senator Brown of Van Buren presented a remonstrance from citizens of Davis county, protesting against the enactment of a bill entitled House File No. 235, on the ground that section 3900 of the Code is sufficiently protective of the interests of stock-breeders and stock-feeders.

Referred to the Committee on Fish and Game.

#### BILLS ON THIRD READING.

Senate File No. 74, a bill for an act in relation to the semi-annual payment of taxes, with the report of committee recommending that the bill do not pass, was taken up and read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Greenlee, Hemenway, Hunt, Hutchison, Johnson, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Robinson, Rothert, Smith, Sudlow, Whaley, and Wilson—23.

The nays were:

Senators Arnold, Baker, Boling, Clark of Page, Dashiell, Garber, Gillett, Graves, Harmon, Hartshorn, Hebard, Henderson, Kamrar, Keller, Larrabee, Mitchell, Nielander, Parker, Russell of Greene, Russell of Jones, Shrader, Tirrill, and Wright—23.

Absent or not voting:

Senators Hall, Nichols of Benton, Prizer, and Wall—4.

So the bill did not pass.

#### HOUSE MESSAGES.

On motion of Senator Larrabee House messages were taken up.

House File No. 451, a bill for an act to legalize the proceedings of the town council of the town of Corning, Adams county, Iowa, held on the first day of June, 1880, vacating a certain street in said town.

Read a first and second time, and referred to the Committee on Judiciary.

House File No. 371, a bill for an act to legalize the incorporation of the town of Lacona, Warren county, Iowa, the election of its officers and the ordinances passed by the council of said town.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 325, a bill for an act to legalize the incorporation of the town of Cascade, Dubuque county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 397, a bill for an act to pay the costs of prosecuting Martin Heisey and his bondsmen.

Read a first and second time and referred to the Committee on Claims.

House File No. 458, a bill for an act authorizing the board of supervisors of Hardin county, Iowa, to establish a road through certain lands belonging to the State.

Read a first and second time and referred to the Committee on Highways.

House File No. 173, a bill for an act to legalize the acts and doings of the town council of North Des Moines, Polk county, Iowa.

Read a first and second time, and referred to the Committee on Judiciary.

House File No. 387, a bill for an act to legalize the acts of the board of trustees of Benton county Iowa.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 342, a bill for an act to correct certain conveyances of land made by the State of Iowa under patent to Henry Sido.

Read a first and second time and referred to the Committee on Judiciary.

Joint resolution in relation to badge of honor for Iowa soldiers and sailors.

Read a first and second time and referred to the Committee on Military.

House File No. 317, a bill for an act to repeal chapter 153, of the acts of the Ninth General Assembly.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 424, a bill for an act legalizing the action of the board of directors of the independent district of Rivermore, Humboldt county, Iowa.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 215, a bill for an act to legalize the incorporation, ordinances, and acts of the officers of the incorporated town of Britt, in the county of Hancock.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 328, a bill for an act to legalize sale of certain lands in Allamakee, county, Iowa.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 320, a bill for an act to legalize the sale of certain school land in Woodbury county, Iowa, to Jane H. Fisher.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 244, a bill for an act empowering cities under special charter to establish boards of health.

Read a first and second time and referred to the Committee on Municipal Corporations.

House File No. 298, a bill for an act to provide for the attendance of the children of soldiers and sailors at the State University free of tuition.

Read a first and second time and referred to the Committee on State University.

Senate File No. 152, a bill for an act to legalize certain proceedings, orders, and judgments of the District and Circuit Courts of the Fifth Judicial District, with the following amendment: adding to publication clause "without expense to the State."

Ordered placed with bills on third reading.

Substitute for House File No. 67, a bill for an act to extend the time for paying the indebtedness of the Orphan Asylum at Andrew to the State.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 234, a bill for an act to repeal section 457 of the Code of 1873, relating to the powers of cities and towns, and to enact a substitute therefor.

Read a first and second time and referred to the Committee on Municipal Corporations.

House File No. 285, a bill for an act to amend section 1862, and to repeal section 1865 of the Code.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 268, a bill for an act to amend section 1733 of the Code, requiring the board of directors to provide a certain form of order book for the use of their district.

Read a first and second time and referred to the Committee on Schools.

House File No. 253, a bill for an act amending section 4511 of the Code of 1873.

Read a first and second time and referred to the Committee on Judiciary.

Substitute for House File No. 202, a bill for an act to amend section 463 of the Code of 1873, relating to the sale of liquors in cities and incorporated towns.

Read a first and second time and referred to the Committee on Suppression of Intemperance.

House File No. 200, a bill for an act amending section 3369 of the Code, and providing for the issuing and serving of writs of injunction on Sunday.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 201, a bill for an act to provide for filling vacancies in offices of incorporated towns.

Read a first and second time and referred to the Committee on Municipal Corporations.

House File No. 265, a bill for an act to amend section 4036 of the Code of 1873, in relation to the adulteration of food.

Read a first and second time and referred to the Committee on Medicine, Surgery, and Hygiene.

House File No. 93, a bill for an act to repeal sections 3786 and 3815 of the Code, relating to the payment of fees into the county treasury, and to enact a substitute therefor.

Read a first and second time, and referred to the Committee on County and Township Organization.

Substitute for House Files Nos. 228 and 255, a bill for an act to amend sections 843, 853, and 857 of the Code, in relation to the time of delivery to the county treasurer of the taxlist, the time taxes become a lien on real estate, and the time of the payment therefor.

Read a first and second time, and referred to the Committee on Ways and Means.

House File No. 5, a bill for an act to repeal section 866, chapter 2, title 6 of the Code, and enacting a substitute therefor, and amending section 871 of the same chapter and title.

Read a first and second time, and referred to the Committee on Ways and Means.

House File No. 226, a bill for an act granting local mutual insurance companies authority to hold a fund for the payment of losses.

Read a first and second time, and referred to the Committee on Insurance.

Concurrent resolution relative to mining under Capitol Square and Governors' Square, in the City of Des Moines, Iowa.

Read, and on motion of Senator Larrabee the resolution was adopted. Substitute for House File No. 80.

Read a first and second time, and referred to the Committee on Ways and Means.

Substitute for Senate File No. 113.

Read a first and second time.

Senator Smith moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Keller, Larrabee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—41.

The nays were:

Senator Kamrar—1.

Absent or not voting:

Senators Hall, Hebard, Henderson, Mitchell, Nichols of Benton, Russell of Greene, Shrader, and Wall—8.

So the bill passed, and the title was agreed to.

On motion of Senator Russell of Jones, at twelve o'clock and thirty minutes the Senate adjourned until 2:30 p. m.

## AFTERNOON SESSION.

2:30 O'CLOCK P. M.

Senator Hutchison had leave to call up for consideration Senate File No. 308, a bill for an act to legalize certain acts of the board of supervisors of Wapello county, Iowa.

Senator Hutchison moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—45.



The nays were—None.

Absent or not voting:

Senators Bills, Hebard, Nichols of Benton, Shrader, and Wall—5.

So the bill passed, and the title was agreed to.

Senator Brown of Keokuk requested that the journal shall show that he, if present, would have voted yea on the passage of Senate File No. 308, which request was granted.

Senate File No. 189, a bill for an act authorizing the purchase of grounds by the State for the use of the State fair, and appropriating money to pay therefor, with report of committee recommending that the bill do pass, was taken up and considered.

On motion of Senator Larrabee the bill was ordered considered by sections.

On motion of Senator Arnold the words "and without conditions of reversion or limitations for any cause" were inserted after the word "incumbrance" in line 13, of section 1.

On motion of Senator Larrabee the first line of section 1, and also the second line to and including the word "fair," were stricken out.

Section 2 was amended on motion of Senator Hall by striking from line eleven of said section the words "in proper form," and after the word "the" of said line inserting the words "fee simple title in."

Senator Larrabee moved to amend section 2 by striking from line fifteen the words "in two years from the date thereof," and by inserting in lieu thereof the following; viz., "on or before two years after the date thereof at the option of the Executive Council," which amendment was adopted.

Senator Hall offered an amendment to section 3, by striking out from the word "conveyed" in the first line thereof, all to and including the word "State" in the fourth line, and by inserting the following; viz., "shall be and hereby is placed in the control and under the management of the Iowa State Agricultural Society for the purpose of holding its exhibitions and for all purposes properly incident thereto. All permanent improvement hereafter made upon said grounds shall belong to the State, and nothing in this act shall be held to prevent the legislature from changing the use of said lands or selling or disposing of the same."

Senator Graves presented the following, which was read and ordered passed on file.

*To the President and Members of the Senate of the Nineteenth General Assembly*—Dubuque, the metropolis of Iowa, with her thirty miles of macadamized streets, her convenient and well managed system of steam and horse railways, together with the proverbial hospitality of her citizens, would be glad to donate to the State its ample fair grounds of ninety acres including the spacious buildings thereon, erected at a cost of about \$30,000, without money and without price, on condition that henceforward the State fair shall be annually held upon said grounds.

Very respectfully

J. K. GRAVES,

*For city and county of Dubuque.*

Senator Larrabee proposed as an amendment to section 3, to add after the words "Agricultural Society," in Senator Hall's amendment to said section by adding "under such restrictions as the Executive Council may prescribe," which amendment was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 460, a bill for an act requiring railroads to stop trains before crossing other tracks.

Also, House File No. 345, a bill for an act to designate the title of the officers in charge of the Girls' Reform School.

Also, that the House has concurred in Senate amendment to House File No. 363, a bill for an act to amend section 3072 chapter 2, title 18 of the Code, relating to exemptions.

Also, have passed without amendment Senate File No. 20, a bill for an act to amend section 1717, of chapter 9, title 12 of the Code of Iowa, so as to enable boards of directors of districts townships to procure highways to school-house sites.

A. W. RENSHAW, *Second Assistant Clerk.*

Senator Bills offered the following as a substitute for the bill:

*Be it enacted by the General Assembly of the State of Iowa, That for ninety days from the first day of April, 1882, the Executive Council of the State of Iowa be and is hereby authorized to receive proposals for the conveyance to the State of Iowa the necessary lands on which to locate permanently the annual State fairs of the State Agricultural Society.*

The question being on the adoption of the proposed substitute, the yeas and nays were demanded, and

The yeas were:

Senators Baker, Bills, Clark of Wayne, Cotton, Garber, Graves, Kamrar, Nielander, Parker, Robinson, and Wright—11.

The nays were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Gillett, Greenlee, Hall, Harmon, Harts-horn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Keller, Larrabee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Prizer, Rothert, Russell of Greene, Shrader, Smith, Sudlow, Tirrill, Whaley, and Wilson—34.

Absent or not voting.

Senators Hebard, Mitchell, Nichols of Benton, Russell of Jones, and Wall—5.

So the substitute was lost.

The question recurring on the engrossment of the bill, Senator Nichols of Guthrie moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Clark of Page, Dashiell, Greenlee, Hall, Hartshorn, Hemenway, Henderson, Hunt, Johnson, Keller, Larrabee, Nichols of Muscatine, Patrick, Poyneer, Prizer, Rothert, Russell of Greene, Shrader, Smith, Sudlow, Whaley, and Wilson—24.

The nays were:

Senators Baker, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Garber, Graves, Harmon, Hutchison, Kamrar, Logan, Marshall, Mitchell, Nichols of Guthrie, Nielander, Parker, Robinson, Tirrill, and Wright—20.

Absent or not voting:

Senators Boling, Gillett, Hebard, Nichols of Benton, Russell of Jones, and Wall—6.

So the bill did not pass.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills and joint resolution, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

House File No. 252, a bill for an act to legalize the incorporation of the town of Aurelia, Cherokee county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

House File No. 135, a bill for an act to provide for the construction of levees, by amending sections 1207, 1208, 1209, 1210, and 1211, of chapter 2, title 10 of the Code of 1873, and chapter 140 of the laws of the Sixteenth General Assembly, and chapter 121 of the laws of the Seventeenth General Assembly, and chapter 85 of the laws of the Eighteenth General Assembly, relating to drains, ditches, and water-courses.

House File No. 430, a bill for an act to provide for the presentation of a gold medal and \$200, with the thanks of the General Assembly, to Miss Kate Shelly.

House File No. 241, a bill for an act to repeal section 1739 of the Code of 1873, and to enact a substitute therefor, relating to the duties of the president of the board of school directors.

Senate File No. 1, a bill for an act to amend section 890 of the Code, relating to the redemption of taxsales.

Senate File No. 231, a bill for an act to legalize the sale of certain school land in Buena Vista county.

Senate File No. 166, a bill for an act to legalize the independent school district of Volga City, Clayton county, Iowa.

Memorial and joint resolution in relation to the investment of the endowment fund of the Iowa Agricultural College.

R. D. BAIRD, *Assistant Clerk.*

Senator Whaley had leave to call up for consideration substitute for Senate File No. 192, a bill for an act apportioning the State of Iowa into senatorial districts.

On motion, the substitute was ordered to be treated as an original bill introduced by the Committee on Senatorial Districts.

The substitute was read a first and second time, and on motion considered by sections.

Senator Poyneer moved to strike the words "forty-six thousand" from section 1 and insert "forty-seven thousand and five hundred."

Senator Larrabee offered as an amendment to the motion to strike out "forty-seven thousand and five hundred" and insert "forty-eight thousand," which amendment was lost.

The question recurring upon the motion moved by Senator Poyneer the yeas and nays were demanded.

The yeas were:

Senators Abraham, Arnold, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Greenlee, Hunt, Hutchison, Johnson, Mitchell, Parker, Patrick, Poyneer, and Robinson—16.

The nays were:

Senators Baker, Bills, Boling, Cotton, Garber, Gillett, Graves, Hall, Hartshorn, Hemenway, Henderson, Kamrar, Keller, Logan, Marshall, Nichols of Muscatine, Nielander, Prizer, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, and Wilson—26.

Absent or not voting:

Senators Harmon, Hebard, Larrabee, Nichols of Benton, Nichols of Guthrie, Rothert, Wall, and Wright—8.

So the motion to amend was lost.

Senator Brown of Keokuk offered a substitute for the bill under consideration.

At 6 o'clock the Senate adjourned until to-morrow at half past nine o'clock.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 9, 1882. }

The Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. Senator Marshall.

The journal of yesterday was being read when on motion of Senator Graves the further reading was dispensed with.

#### INTRODUCTION OF BILLS.

By Senator Larrabee, Senate File No. 316, a bill for an act to amend sections 1800 and 1801 of the Code.

Read a first and second time and referred to the Committee on Schools.

By Senator Robinson, Senate File No. 317, a bill for an act making an appropriation to purchase the Supreme Court reports for the county of Ida, Iowa.

Read a first and second time and referred to the Committee on Ways and Means.

REPORTS OF COMMITTEES.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 215, a bill for an act providing for the adjustment of differences between the State and the counties thereof in certain cases on account of the school fund, amendatory of section 1881 of the Code, beg leave to report that they have had the same under consideration in connection, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 44, a bill for an act to mitigate the evils growing out of double taxation of real estate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred a resolution providing that fair and adequate compensation shall be made by the State for all property confiscated under and by virtue of the proposed Constitutional amendment prohibiting the manufacture and sale of wine, beer, and intoxicating beverages, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate for consideration, but without recommendation of the committee.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 208, a bill for an act to amend section 801 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Ordered passed on file.

Senator Tirrill, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred the report of the visiting committee to the Additional Penitentiary at Anamosa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be placed on file.

TIRRILL, *Chairman.*

Ordered passed on file.

Senator Garber, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 133, a bill for an act to amend section 934 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be passed by the Senate.

M. GARBER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 139, a bill for an act to amend section 1, chapter 47 of the acts of the Fifteenth General Assembly in relation to crossing highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be passed by the Senate.

M. GARBER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 83, a bill for an act to amend section 936 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be passed by the Senate.

M. GARBER, *Chairman*.

Ordered passed on file.

Senator Arnold, from the Committee on Appropriations, submitted the following report.

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 250, a bill for an act making further appropriations for the Hospital for the Insane at Mt. Pleasant, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

DELOS ARNOLD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 448, a bill for an act to provide for the payment of expenses of the committees appointed to visit the State institutions, and committees to escort the remains of the late Hon. W. E. Webster to his home at Clarinda, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

DELOS ARNOLD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 299, a bill for an act to amend chapter 83 of the acts of the Seventeenth General Assembly amendatory of section 4785 of the Code, in relation to the support of convicts, beg leave to report that they have had the same under consideration, and have in-

structed me to report the same back to the Senate with the recommendation that it do pass.

DELOS ARNOLD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 193, a bill for an act to amend section 1, chapter 203, laws of the Eighteenth General Assembly, relating to the Institution for the Deaf and Dumb, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "twenty" in the last line of section 1, and inserting the word "fifteen" in lieu thereof, and that when so amended it do pass.

DELOS ARNOLD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred substitute for House File No. 67, a bill for an act to extend the time for paying the indebtedness of the Orphans' Asylum at Andrew in this State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

D. ARNOLD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 143, a bill for an act to amend chapter 110 of the acts of the Thirteenth General Assembly, and chapter 35 of the acts of the Fourteenth General Assembly, and making an additional appropriation for the completion of the capitol, beg leave to report that they have had the accompanying substitute under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be adopted, and that when adopted that it do pass.

DELOS ARNOLD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 286, a bill for an act to provide for the payment of salaries of secretary and treasurer of the Iowa State Agricultural College, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments: strike out the word "twelve" in the third line of section 1, and insert the word "six"; also, strike out all after the word "College" in fifth line to the end of the section.

D. ARNOLD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 186, a bill for an act making appropriations for the College for the Blind, beg leave to report that they have had the same under consideration, and have instructed me to report the ac-

companying substitute back to the Senate with the recommendation that it be adopted, and when adopted that it do pass.

DELOS ARNOLD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 187, a bill for an act making appropriations for the Girls' Department of the Iowa Reform School, beg leave to report that they have had the same under consideration and have instructed me to report the accompanying substitute back to the Senate with the recommendation that it be adopted, and when adopted that it do pass.

DELOS ARNOLD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 149, a bill for an act for an appropriation for the State Fish Commission, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

DELOS ARNOLD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 182, a bill for an act to appropriate funds to purchase lands and erect buildings, and make improvements, for the Soldiers' Orphans' Home and Home for Indigent Children, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute back to the Senate with the recommendation that it be adopted, and when so adopted that it do pass.

DELOS ARNOLD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 190, a bill for an act making appropriations for the Asylum for Feeble-Minded Children at Glenwood, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute back to the Senate with the recommendation that it be adopted, and that when adopted that it do pass.

DELOS ARNOLD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 161, a bill for an act for an appropriation in aid and support of the State University of Iowa, beg leave to report that they have the same under consideration, and have instructed me to report the accompanying substitute back to the Senate with the recommendation that it be adopted, and that when so adopted that it do pass.

DELOS ARNOLD, *Chairman*.

Ordered passed on file.



Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 206, a bill for an act making appropriations for the improvement of the Penitentiary at Ft. Madison, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute back to the Senate with the recommendation that it be adopted, and that when so adopted that it do pass.

DELOS ARNOLD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 249, a bill for an act making an appropriation for the Hospital for the Insane at Mt. Pleasant, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute back to the Senate with the recommendation that it be adopted, and that when so adopted that it do pass.

DELOS ARNOLD, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 194, a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute back to the Senate with the recommendation that it be adopted, and when so adopted that it do pass.

DELOS ARNOLD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 160, a bill for an act making appropriations for the Iowa Agricultural College, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute back to the Senate with the recommendation that it be adopted, and when so adopted that it do pass.

DELOS ARNOLD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 164, a bill for an act making an appropriation for the Iowa Hospital for the Insane at Independence, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute back to the Senate with the recommendation that it be adopted, and that when so adopted that it do pass.

DELOS ARNOLD, *Chairman.*

Ordered passed on file.

Senator Brown of Keokuk, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 69, being a bill for an

act to enable townships, incorporated towns, and cities, including cities acting under special charters, to aid in building county bridges in certain cases.

And find the same correctly engrossed.

C. M. BROWN, *Chairman*.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 67, a bill for an act to repeal chapter 152 of the acts of the Sixteenth General Assembly, and chapter 164 of the acts of the Eighteenth General Assembly and to provide for the establishment and maintenance of the Institution for Feeble-Minded Children at Glenwood.

Senate File No. 107, a bill for an act authorizing the location of a highway across land belonging to the State of Iowa.

House File No. 63, a bill for an act to amend section 3072, chapter 2, title 18 of the Code, relating to exemptions.

House File No. 155, a bill for an act to make the printed copies of the ordinances of Fort Dodge, Webster county, Iowa, primary evidence of said ordinances, and to legalize and validate the same.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 260, a bill for an act to repeal sections 3201 and 3202 of the Code of 1873, and to provide a substitute therefor, relating to petitions and arguments for rehearing in the Supreme Court, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting the accompanying publication clause, and as so amended it do pass:

SECTION 2. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and Iowa State Leader, newspapers published at Des Moines, Iowa.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Cotton, from the Committee on State Library, submitted the following report:

MR. PRESIDENT—Your Committee on State Library, to whom was referred Senate File No. 289, a bill for an act to amend chapter 69 of the laws of the Eighteenth General Assembly, in relation to the State Library, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. A. COTTON, *Chairman*.

Ordered passed on file.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was refer-

red House File No. 37, a bill for an act to legalize the incorporation of the town of Lacona, Warren county, Iowa, the election of its officers, and the ordinances passed by the council of said town, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 387, a bill for an act to legalize the acts of boards of trustees of Bristow, Butler county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 215, a bill for an act to legalize the incorporation, ordinances, and acts of the officers of the incorporated town of Britt, in the county of Hancock, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 424, a bill for an act legalizing the action of the board of directors of the independent district of Livermore, in Humboldt county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 310, a bill for an act to legalize the organization and acts of the Humboldt Collegiate Association, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 221, a bill for an act to enforce the collection of taxes provided for in section 2, chapter 71, laws of 1874, on released Agricultural College lands, amendatory to chapter 71, laws of 1874, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the

recommendation that the accompanying substitute be adopted in lieu thereof, and do pass.

Ordered printed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 285, a bill for an act to amend section 1862, and to repeal section 1865 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Schools.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 173, a bill for an act to legalize the acts and doings of the town council of North Des Moines, Polk county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted in lieu thereof, and do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 40, a bill for an act to resume all lands and rights conferred upon the Sioux City & St. Paul Railroad Company, etc, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted in lieu thereof, and do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 312, a bill for an act to provide for the appointment and salary of a Deputy Clerk of the Supreme Court, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 274, a bill for an act to repeal section 4712 of the Code of Iowa, relating to the pardoning power, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 306, a bill for an act to legalize the proceedings of the town council of Manchester, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 311, a bill for an act to reimburse Samuel Chandler and Daniel Farrell for money expended in arresting Polk Wells and William Norris, the Riverton bank robbers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Claims, and that in the opinion of the Judiciary Committee there is no legal objection to the allowance of such claim, but that it is a question simply of policy.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 261, a bill for an act to legalize the incorporation of the town of Gladbrook, and acts of officers thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted in lieu thereof and do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 387, a bill for an act to legalize the organization and acts of the independent district of Omaha, in Pilot township, Iowa county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Senator Hartshorn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 268, a bill for an act to amend section 1733 of the Code, requiring the board of directors to provide a certain form of order book for the use of their district, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. J. HARTSHORN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 276, a bill for an act to repeal section 1732 of the Code, relating to the duties of boards of directors of district townships, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 287, a bill for an act to include all the territory of an incorporated city or town within the independent school district, or districts, now existing or hereafter to be formed, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 158, a bill for an act to legalize the the sale of a certain tract of school land in Allamakee county, Iowa.

Senate File No. 20, a bill for an act to amend section 1717, chapter 2, title 18 of the Code of Iowa, so as to enable the board of directors of district townships to procure highways to school-house sites.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 67, a bill for an act to repeal chapter 152, of the acts of the Sixteenth General Assembly, and chapter 164 of the Eighteenth General Assembly, and to provide for the establishment of the Institute for Feeble-Minded Children at Glenwood.

Senate File No. 107, a bill for an act authorizing the location of highways across land belonging to the State.

Senate File No. 158, a bill for an act to legalize the sale of a certain tract of school land in Allamakee county, Iowa.

T. E. CLARK, *Chairman*.

#### INTRODUCTION OF BILLS.

Senator Arnold, for the Committee on Appropriations, Senate File No. 318, a bill for an act for an appropriation in aid and support of the State Normal School at Cedar Falls.

Read a first and second time and placed on file, to be taken up as a special order with appropriation bills.

By Senator Arnold, for same committee, Senate File No. 319, a bill

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 306, a bill for an act to legalize the proceedings of the town council of Manchester, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 311, a bill for an act to reimburse Samuel Chandler and Daniel Farrell for money expended in arresting Polk Wells and William Norris, the Riverton bank robbers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Claims, and that in the opinion of the Judiciary Committee there is no legal objection to the allowance of such claim, but that it is a question simply of policy.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 261, a bill for an act to legalize the incorporation of the town of Gladbrook, and acts of officers thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted in lieu thereof and do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 387, a bill for an act to legalize the organization and acts of the independent district of Omaha, in Pilot township, Iowa county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Senator Hartshorn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 268, a bill for an act to amend section 1733 of the Code, requiring the board of directors to provide a certain form of order book for the use of their district, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. J. HARTSHORN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 276, a bill for an act to repeal section 1732 of the Code, relating to the duties of boards of directors of district townships, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 287, a bill for an act to include all the territory of an incorporated city or town within the independent school district, or districts, now existing or hereafter to be formed, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 158, a bill for an act to legalize the the sale of a certain tract of school land in Allamakee county, Iowa.

Senate File No. 20, a bill for an act to amend section 1717, chapter 2, title 18 of the Code of Iowa, so as to enable the board of directors of district townships to procure highways to school-house sites.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 67, a bill for an act to repeal chapter 152, of the acts of the Sixteenth General Assembly, and chapter 164 of the Eighteenth General Assembly, and to provide for the establishment of the Institute for Feeble-Minded Children at Glenwood.

Senate File No. 107, a bill for an act authorizing the location of highways across land belonging to the State.

Senate File No. 158, a bill for an act to legalize the sale of a certain tract of school land in Allamakee county, Iowa.

T. E. CLARK, *Chairman*.

#### INTRODUCTION OF BILLS.

Senator Arnold, for the Committee on Appropriations, Senate File No. 318, a bill for an act for an appropriation in aid and support of the State Normal School at Cedar Falls.

Read a first and second time and placed on file, to be taken up as a special order with appropriation bills.

By Senator Arnold, for same committee, Senate File No. 319, a bill



for an act to appropriate funds to carry on the work at the Additional Penitentiary at Anamosa.

Read a first and second time and placed on file.

By Senator Arnold, for the Committee on Appropriations, Senate File No. 320, a bill for an act making appropriation for the Boys' Reform School at Eldora.

Read a first and second time and placed on file.

#### BILLS ON THIRD READING.

Senate File No. 69, a bill for an act enabling townships, incorporated towns, and cities to aid in building county bridges in certain cases, was taken up and read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—47.

The nays were—None.

Absent or not voting.

Senators Graves, Russell of Greene, and Smith—3.

So the bill passed, and the title was agreed to.

The time for the special order having arrived, it being the consideration of appropriation bills, on motion of Senator Whaley the same was postponed until half past two o'clock P. M.

#### BILLS ON SECOND READING.

Senator Logan had leave to call up for consideration Senate File No. 259, a bill for an act to legalize the sale of certain school lands in Monona county, Iowa, with report of committee recommending that it be amended by striking out the word "are" in the second line of section 1, and inserting the word "is" in lieu thereof; also, that all after the word "with" in the seventh line down to and including the word "with" in the thirteenth line, be stricken out; and when so amended it do pass.

The amendments recommended by the committee were adopted.

Senator Logan moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer,

Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—50.

The nays were—None.

So the bill passed, and the title was agreed to.

Senate File No. 192, a bill for an act apportioning the State into senatorial districts, was taken up and consideration was resumed.

Senator Brown of Keokuk had leave to withdraw the substitute for the bill offered by him on yesterday, and he offered another in lieu thereof.

The question being on the adoption of the substitute offered by Senator Brown of Keokuk, the yeas and nays were demanded, and

The yeas were:

Senators Brown of Keokuk, Brown of Van Buren, Dashiell, Harmon, Hutchison, Johnson, Logan, Patrick, Poyneer, Robinson, and Tirrill—11.

The nays were:

Senators Abraham, Arnold, Bills, Boling, Cotton, Garber, Gillett, Graves, Hall, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Kamrar, Keller, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, Sudlow, Wall, Whaley, Wilson, and Wright—32.

Absent or not voting.

Senators Baker, Clark of Page, Clark of Wayne, Greenlee, Larrabee, Nichols of Guthrie, and Smith—7.

So the substitute was lost.

Senator Brown of Keokuk offered an amendment to the bill by the addition of section No. 52, as follows:

"SEC. 52. The change of any district shall not affect any Senator during the term of his office for which he has been elected."

The amendment was adopted.

Senator Whaley moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Garber, Gillett, Graves, Greenlee, Hall, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Parker, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Wall, Whaley, Wilson, and Wright—43.

The nays were:

Senators Brown of Keokuk, Dashiell, Harmon, Nielander, Patrick, Poyneer, and Tirrill—7.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, and joint resolutions in which the concurrence of the Senate is asked:

House File No. 78, a bill for an act to require boards of supervisors to award all contracts to lowest responsible bidders after advertising for bids.

House File No. 179, a bill for an act to repeal section 1862, chapter 12, title 12 of the Code, and enact a substitute therefor.

House File No. 154, a bill for an act to repeal section 4712 of the Code of Iowa, relating to the pardoning power, and enact a substitute therefor.

Substitute for House Files Nos. 161, 166, and 196, a bill for an act to amend section 8, chapter 75, of the laws of Eighteenth General Assembly; also for an act to repeal section 1527, and to amend sections 1529 and 1537 of the Code of 1873, in relation to the sale of intoxicating liquors.

House File No. 229, a bill for an act to lessen court costs in District and Circuit courts by reducing the number of jurors empaneled, and providing for the trial of civil cases with nine jurors.

House File No. 162, a bill for an act to prevent the manufacture and sale of adulterated food and drugs.

House File No. 172, a bill for an act to provide for the publication of city and town ordinances in book and pamphlet form and for the taking effect thereof.

House File No. 306, a bill for an act to prevent and punish the adulteration of articles of food, drink, and medicine, and the sale thereof when adulterated.

House File No. 404, a bill for an act to legalize the sale and transfer by the St. Paul & Sioux City Railroad Company of its railroads in Iowa to the Chicago, St. Paul and Minneapolis and St. Paul & Omaha Railway Company, and to legalize the issue of its stock and bonds thereon by the last named company.

House File No. 444, a bill for an act to legalize the incorporation of the town of Lucas, in Lucas county, Iowa.

Joint resolution relating to revising the insurance laws of the State.

Also, House has passed without amendment Senate File No. 308, a bill for an act legalizing acts of board of supervisors of Wapello county, Iowa.

Also, Senate File No. 135, a bill for an act in relation to the exemption of sewing-machines from execution and attachment.

Also:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

House File No. 63, a bill for an act to amend section 3072, chapter 2, title 18 of the Code, relating to exemption.

House File No. 155, a bill for an act to make the printed copies of ordinances of Fort Dodge, Webster county, Iowa, primary evidence of said ordinances, and to legalize and validate the same.

R. B. BAIRD, *Assistant Clerk.*

Senator Nichols of Guthrie moved a reconsideration of the vote by which Senate File No. 189 was lost on its passage on yesterday, being a bill for an act authorizing the purchase of grounds by the State for the use of the State fair, and appropriating money to pay therefor.

Which motion prevailed.

Senator Bills moved a reconsideration of the vote by which Senate File No. 189 was ordered to a third reading.

On which question the yeas and nays were demanded.

The yeas were:

Senators Baker, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Garber, Gillett, Graves, Harmon, Hutchison, Logan, Mitchell, Nielander, Parker, Patriok, Prizer, Robinson, Russell of Jones, Tirrill, Wilson, and Wright—22.

The nays were:

Senators Abraham, Arnold, Boling, Clark of Page, Dashiell, Greenlee, Hall, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Johnson, Kamrar, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Poyneer, Rothert, Russell of Greene, Shrader, Smith, Sudlow, Wall, and Whaley—28.

So the motion was lost.

The question before the Senate being, shall the bill pass? the roll was called.

The yeas were:

Senators Abraham, Arnold, Clark of Page, Dashiell, Greenlee, Hall, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Johnson, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Poyneer, Rothert, Russell of Greene, Shrader, Smith, Sudlow, Wall, Whaley, and Wilson—27.

The nays were:

Senators Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Garber, Graves, Harmon, Hutchison, Kamrar, Logan, Mitchell, Nielander, Parker, Patriok, Prizer, Robinson, Russell of Jones, Tirrill, and Wright—22.

Absent or not voting:

Senator Gillett—1.

So the bill passed, and the title was agreed to.

On motion of Senator Russell of Greene, the time of adjournment was extended until half past twelve.

Senator Cotton had leave to call up for consideration Senate File No. 289, a bill for an act to amend chapter 69 of the laws of the Eighteenth General Assembly, in relation to the State Library, with report of the Committee recommending that the bill do pass.

The question being on the engrossment of the bill, on motion of Senator Cotton, the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Patriok, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—47.

The nays were—None.

Absent or not voting:

Senators Hebard, Nichols of Muscatine, and Russell of Greene—3.

So the bill passed, and the title was agreed to.

On motion of Senator Russell of Greene, Senate File No. 560, a bill for an act to repeal sections 3201 and 3202 of the Code of 1873, and to provide a substitute therefor, relating to petitions and arguments for rehearing in the Supreme Court, with report of the committee recommending amendment and that the bill do pass, was taken up and considered.

The committee recommend to add as follows:

"SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and Iowa State Leader, newspapers published at Des Moines Iowa."

The report of the committee was adopted.

The question being on the engrossment of the bill, Senator Russell of Greene moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson and Wright—50.

So the bill passed, and the title was agreed to.

Senator Johnson had leave to call up for consideration Senate File No. 144, a bill for an act to repeal section 3791 of the Code of 1873, and to enact a substitute therefor relating to compensation of members of boards of supervisors, with the report of the committee recommending amendment.

On motion of Senator Nichols of Muscatine, the words "twenty-five" were stricken from the bill, and the words "twenty-three" inserted in lieu thereof.

The word "thirty" was stricken from line eleven and the words "thirty-five" substituted in lieu thereof, on motion of Senator Tirrill.

At twelve o'clock and thirty minutes the Senate adjourned until two o'clock and thirty minutes P. M.

## AFTERNOON SESSION.

2:30 O'CLOCK P. M.

## INTRODUCTION OF BILLS.

By Senator Hartshorn, Senate File No. 321, a bill for an act dividing the State into eleven congressional districts.

Read a first and second time and referred to the Committee on Congressional Districts.

By Senator Hemenway, Senate File No. 322, a bill for an act in relation to the reports of public officers and institutions, and to provide for printing and distributing public documents.

Read a first and second time and referred to the Committee on Ways and Means.

Consideration of Senate File No. 144 was resumed.

The amendments recommended by the committee were adopted:

Striking out the words "less than," in the eighth line of the printed copy thereof, and inserting after the word "thousand," in the same line, the words "or less," and that when so amended it do pass.

On motion of Senator Logan the words "regular or adjourned" were inserted after the word "the," in the sixth line of section 1.

Senator Logan moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Sudlow, Tirrill, Wall, and Wright—45.

The nays were:

Senator Clark of Wayne—1.

Absent or not voting:

Senators Russell of Greene, Smith, Whaley, and Wilson—4.

So the bill passed, and the title was agreed to.

Senate File No. 247, a bill for an act to amend sections 4, 10, 11, and 12, of chapter 74, acts of the Eighteenth General Assembly, with report of committee recommending amendments.

The report of the committee was adopted.

Senator Baker offered an amendment by inserting after the word "goods," in line two of section 4, the following: "manufactured in the State where same are sold and distributed by agents," which amendment was adopted.

On motion of Senator Brown of Keokuk the words "twelve months," in the sixth line of section 1, were stricken out and the words "two years" inserted in lieu thereof.

Absent or not voting:

Senators Hebard, Nichols of Muscatine, and Russell of Greene—3.  
So the bill passed, and the title was agreed to.

On motion of Senator Russell of Greene, Senate File No. 560, a bill for an act to repeal sections 3201 and 3202 of the Code of 1873, and to provide a substitute therefor, relating to petitions and arguments for rehearing in the Supreme Court, with report of the committee recommending amendment and that the bill do pass, was taken up and considered.

The committee recommend to add as follows:

"SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and Iowa State Leader, newspapers published at Des Moines Iowa."

The report of the committee was adopted.

The question being on the engrossment of the bill, Senator Russell of Greene moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson and Wright—50.

So the bill passed, and the title was agreed to.

Senator Johnson had leave to call up for consideration Senate File No. 144, a bill for an act to repeal section 3791 of the Code of 1873, and to enact a substitute therefor relating to compensation of members of boards of supervisors, with the report of the committee recommending amendment.

On motion of Senator Nichols of Muscatine, the words "twenty-five" were stricken from the bill, and the words "twenty-three" inserted in lieu thereof.

The word "thirty" was stricken from line eleven and the words "thirty-five" substituted in lieu thereof, on motion of Senator Tirrill.

At twelve o'clock and thirty minutes the Senate adjourned until two o'clock and thirty minutes P. M.

## AFTERNOON SESSION.

2:30 O'CLOCK P. M.

## INTRODUCTION OF BILLS.

By Senator Hartshorn, Senate File No. 321, a bill for an act dividing the State into eleven congressional districts.

Read a first and second time and referred to the Committee on Congressional Districts.

By Senator Hemenway, Senate File No. 322, a bill for an act in relation to the reports of public officers and institutions, and to provide for printing and distributing public documents.

Read a first and second time and referred to the Committee on Ways and Means.

Consideration of Senate File No. 144 was resumed.

The amendments recommended by the committee were adopted:

Striking out the words "less than," in the eighth line of the printed copy thereof, and inserting after the word "thousand," in the same line, the words "or less," and that when so amended it do pass.

On motion of Senator Logan the words "regular or adjourned" were inserted after the word "the," in the sixth line of section 1.

Senator Logan moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Sudlow, Tirrill, Wall, and Wright—45.

The nays were:

Senator Clark of Wayne—1.

Absent or not voting:

Senators Russell of Greene, Smith, Whaley, and Wilson—4.

So the bill passed, and the title was agreed to.

Senate File No. 247, a bill for an act to amend sections 4, 10, 11, and 12, of chapter 74, acts of the Eighteenth General Assembly, with report of committee recommending amendments.

The report of the committee was adopted.

Senator Baker offered an amendment by inserting after the word "goods," in line two of section 4, the following: "manufactured in the State where same are sold and distributed by agents," which amendment was adopted.

On motion of Senator Brown of Keokuk the words "twelve months," in the sixth line of section 1, were stricken out and the words "two years" inserted in lieu thereof.



On motion of Senator Rothert, the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Henderson, Hunt, Hutchison, Johnson, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Shrader, Sudlow, Tirrill, Wall, and Wilson—43.

The nays were:

Senators Greenlee and Russell of Jones—2.

Absent or not voting:

Senators Hemenway, Kamrar, Smith, Whaley, and Wright—5.

So the bill passed, and the title was amended by adding thereto the words "in relation to the practice of pharmacy and the sale of medicine and poisons," and as thus amended the title was agreed to.

The time for the special order having arrived, it being consideration of appropriation bills, the same was taken up.

House File No. 448, a bill for an act to provide for the payment of the expenses of the committee appointed to visit the State institutions and committee appointed to escort the remains of the late Hon. W. E. Webster to his home at Clarinda, was taken up and considered.

Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—48.

The nays were—None.

Absent or not voting:

Senators Hunt and Russell of Greene—2.

So the bill passed, and the title was agreed to.

Senate File No. 299, a bill for an act to amend chapter 83 of the acts of the Seventeenth General Assembly and section 4785 of the Code, in relation to the support of convicts, was taken up and considered.

On motion of Senator Arnold the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard,

Hemenway, Henderson, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—48.

The nays were—None.

Absent or not voting:

Senators Hunt and Russell of Greene—2.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill and resolution, in which the concurrence of the Senate is asked:

House File No. 388, a bill for an act to legalize the incorporation of the town of Humeston.

Resolution relative to badge of honor for Iowa soldiers and sailors.

Also, that House has passed without amendment Senate File No. 69, a bill for an act enabling townships, incorporated towns, and cities to aid in building county bridges in certain cases.

Senate File No. 210, a bill for an act legalizing an ordinance passed by the city council of the city of Burlington, November 8, A. D. 1880, providing for the construction and maintenance of sewers.

Also, the House has agreed to Senate joint resolution agreeing to an amendment to the Constitution of the State of Iowa, prohibiting the manufacture and sale of intoxicating liquors as a beverage within this State.

Also, the House refuses to concur in Senate resolution relative to appointing a committee to visit Boone, Iowa, for the purpose of establishing a State Normal School.

R. D. BAIRD, *Assistant Clerk.*

Senate File No. 193, a bill for an act to amend section 1, chapter 203, laws of the Eighteenth General Assembly, relating to the Institution for the Deaf and Dumb, with report of committee recommending that the word "twenty," in the last line of section 1, be stricken out and the word "fifteen" inserted, and as thus amended it do pass, was taken up for consideration.

Senator Rothert offered an amendment to the report of the committee by striking therefrom "fifteen thousand" and inserting "seventeen thousand five hundred."

The question being on the motion to strike out and insert, the yeas and nays were demanded, and

The yeas were:

Senators Bills, Brown of Van Buren, Clark of Page, Johnson, Keller, Nichols of Guthrie, Nielander, Patrick, Prizer, Rothert, Shrader, Sudlow, Tirrill, and Wright—14.

The nays were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Cotton, Garber, Greenlee, Hall, Harmon, Hartshorn, Hebard, Henderson,

Hutchison, Kamrar, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Robinson, Russell of Greene, Russell of Jones, Wall, and Wilson—25.

Absent or not voting.

Senators Clark of Wayne, Dashiell, Gillett, Graves, Hemenway, Hunt, Nichols of Muscatine, Parker, Poyneer, Smith, and Whaley—11.

So the amendment was lost.

On motion the report of the committee was adopted.

The question being on the engrossment of the bill, Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—50.

The nays were—None.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

Senate File No. 67, a bill for an act to repeal chapter 152 of the acts of the Sixteenth General Assembly, and chapter 164 of the acts of the Eighteenth General Assembly, and to provide for the establishment and maintenance of the Institution for Feeble-Minded Children at Glenwood.

Senate File No. 107, a bill for an act authorizing the location of a highway across land belonging to the State of Iowa.

Senate File No. 158, a bill for an act to legalize the sale of a certain tract of school land in Allamakee county, Iowa.

R. B. BAIRD, *Assistant Clerk*.

Substitute for House File No. 67, a bill for an act to extend the time for paying the indebtedness of the Orphans' Asylum at Andrew in this State, with report of the committee recommending that the bill do pass, was taken up for consideration.

Senator Mitchell moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk,

Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—45.

The nays were—None.

Absent or not voting:

Senators Marshall, Nichols of Benton, Nichols of Guthrie, Rothert, and Shrader—5.

So the bill passed, and the title was agreed to.

Senate File No. 286, a bill for an act to provide for the payment of salaries of secretary and treasurer of the Iowa Agricultural College, with the report of the committee recommending amendment by striking out the word "twelve" in the third line of section 1, and insert the word "six"; also by striking out all after the word "College" in the fifth line to the end of the section, was taken up and considered.

The report of the committee was adopted.

On motion of Senator Tirrill the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Greenlee, Hall, Harmon, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wilson—42.

The nays were—None.

Absent or not voting:

Senators Bills, Garber, Graves, Hartshorn, Mitchell, Nichols of Guthrie, Russell of Jones, and Wright—8.

So the bill passed, and the title was amended so as to read "a bill for an act to provide for the payment of the salaries of the secretary and treasurer of the Iowa State Agricultural College," and as thus amended the title was agreed to.

Senate File No. 187, a bill for an act making appropriations for the Girls' Department of the Iowa Reform School, with report of the committee offering a substitute and recommending it be adopted, and that it do pass, was taken up and considered.

The substitute was adopted.

The question being on the engrossment of the bill, on motion of Senator Smith, the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Gillett, Greenlee, Hall, Harmon, Hebard, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Patrick, Poyneer, Prizer,

Robinson, Rothert, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—41.

The yeas were—None.

Absent or not voting:

Senators Clark of Wayne, Garber, Graves, Hartshorn, Hemenway, Larrabee, Parker, Russell of Greene, and Russell of Jones—9.

So the bill passed, and the title was agreed to.

Senate File No. 250, a bill for an act making further appropriations for the Hospital for the Insane at Mt. Pleasant, Iowa, was taken up and considered, and on motion of Senator Arnold the bill was indefinitely postponed.

Senate File No. 182, a bill for an act to appropriate funds to purchase land and erect buildings and make improvements for the Soldiers' Orphans' Home and Home for Indigent Children, with report of committee offering a substitute and recommending that it be adopted and do pass, was taken up for consideration.

Senator Bills moved to amend the substitute by adding to section 1 the following:

"For the erection and completion of the central building, \$20,000; *provided*, that said sum of \$20,000 shall not be drawn from the State Treasury until the first day of March, A. D. 1884."

The amendment was not adopted.

The question being on the adoption of the substitute recommended by the committee, the same was adopted.

Senator Mitchell moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patriok, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Sudlow, Tirrill, Whaley, Wilson, and Wright—45.

The yeas were—None.

Absent or not voting:

Senators Hall, Hunt, Johnson, Smith, and Wall—5.

So the bill passed, and the title was agreed to.

Senate File No. 249, a bill for an act making an appropriation for the Hospital for the Insane at Mt. Pleasant, with report of committee offering a substitute, and recommending that it be adopted, and that when so adopted it do pass, was taken up and considered.

The report of the committee was adopted.

The question being on the engrossment of the bill, Senator Larrabee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk,

Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hebard, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Sudlow, Tirrill, Whaley, Wilson, and Wright—42.

The nays were—None.

Absent or not voting:

Senators Hall, Hemenway, Johnson, Mitchell, Nichols of Guthrie, Shrader, Smith, and Wall—8.

So the bill passed, and the title was agreed to.

Senator Logan moved that Senate File No. 190 be referred back to the Committee on Appropriations, which was agreed to, and such reference was ordered.

Senate File No. 194, a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs, was taken up and considered, together with the report of the committee offering a substitute, and recommending that it be adopted, and that when so adopted it do pass.

The substitute was adopted.

Senator Cotton moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Sudlow, Tirrill, and Wright—40.

The nays were—None.

Absent or not voting:

Senators Brown of Van Buren, Greenlee, Hall, Johnson, Logan, Nichols of Guthrie, Smith, Wall, Whaley, and Wilson—10.

So the bill passed, and the title was agreed to.

Senate File No. 206, a bill for an act making appropriations for the improvement of the Penitentiary at Ft. Madison, with report of committee proposing a substitute, and recommending that it be adopted and do pass, was taken up and considered.

Senator Rothert proposed an amendment to the substitute by adding to section 1 thereof an item as follows: "For steam-heating, \$3,000," which was not agreed to.

The substitute was adopted.

The question being on the engrossment of the bill.

Senator Cotton moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of

Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wall, and Wright—45.

The nays were—None.

Absent or not voting:

Senators Abraham, Hall, Johnson, Nichols of Guthrie, and Wilson—5.

So the bill passed, and the title was agreed to.

Senator Nichols of Benton had leave to call up Senate File No. 188, a bill for an act to amend section 1675 of the Code, and to repeal section 1676 of the Code, as amended by chapter 72 of the acts of the Seventeenth General Assembly, and chapter 165 of the acts of the Eighteenth General Assembly, and to enact a substitute therefor, for the purpose of having the bill referred to the Committee on Appropriations, which reference was ordered.

Senator Rothert, from the Committee on Railways, submitted a report on Senate resolution heretofore referred to the said Committee on Railways, and instructing said committee to inquire to what extent pooling is practiced in this State, if at all; and also as to the working of the Railway Commissioner law, which report was ordered passed on file.

At six o'clock the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 10, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. J. L. J. Barth.

The journal of yesterday was being read when, on motion of Senator Cotton, the further reading was dispensed with.

Senator Cotton had leave to call up Senate File No. 200, a bill for an act to authorize the sale and conveyance of "indemnity swamp land," so called, and the bill was made a special order for three o'clock to-day.

Senator Gillett had leave to call up for consideration House File No. 216, a bill for an act to repeal section 2, of chapter 38, of the laws of the Eighteenth General Assembly, in relation to compensation of officers and employes of the General Assembly, and enact a substitute therefor, with report of committee recommending that it do pass.

Senator Russell of Jones moved to strike out section 2 of the bill and insert the following:

SECTION 2. The provisions of this act shall not apply to services of any officer or employe of the General Assembly rendered previous to the passage of this act.

Which amendment was lost.

Senator Smith moved to strike from the bill "nor shall there be any allowance for stationery, except as above provided, postage, newspapers, or other perquisites in any form or manner, or under any name or designation."

The motion was lost.

On motion of Senator Gillett the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rotherth, Russell of Jones, Shrader, Smith, Tirrill, Whaley, and Wright—42.

The nays were:

Senators Abraham, Clark of Wayne, Greenlee, Sudlow, and Wall—5.

Absent or not voting:

Senators Logan, Russell of Greene, and Wilson—3.

So the bill passed, and the title was agreed to.

#### PETITIONS.

By Senator Hall, a petition asking for the enactment of a law to punish persons entering upon enclosed farms, under pretense of hunting, with guns and dogs.

Referred to the Committee on Fish and Game.

By Senator Nielander, a petition from members of the Woman's Christian Temperance Union of Iowa, asking the enactment of a law providing for and maintaining a Woman's Prison and Reformatory.

Referred to the Committee on Penitentiary.

#### INTRODUCTION OF BILLS.

By Senator Kamrar, Senate File No. 323, a bill for an act to repeal section 2783, chapter 9, title 17 of the Code of 1873, and to enact a substitute therefor in relation to the time to be consumed by attorneys in the argument of cases.

Read a first and second time, and referred to the Committee on Judiciary.

Also, Senate File No. 324, a bill for an act releasing the property of Boone township, Hamilton county, Iowa, from certain taxes voted in aid of the Toledo & Northwestern Railway.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Bills, Senate File No. 325, a bill for an act to amend sections 11 and 13, chapter 77, acts of the Seventeenth General Assembly, in relation to charges of railroad companies for transporting freights.

Read a first and second time and referred to the Committee on Railways.



## REPORTS OF COMMITTEES.

Senator Wright, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 294, a bill for an act to legalize the incorporation and change of name of the town of Menlo, Guthrie county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 256, a bill for an act to repeal chapter 153 of the laws of the Ninth General Assembly, and to amend section 1, of chapter 167 of the laws of the Eighteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 135, a bill for an act relating to exemptions of sewing-machines from execution and attachment.

Memorial and joint resolution in relation to the investment of the endowment fund of the Iowa Agricultural College.

House File No. 448, a bill for an act to provide for the payment of the expenses of the committee appointed to visit the State institutions and committee appointed to escort the remains of the late Hon. W. E. Webster to his home at Clarinda.

Senate File No. 308, a bill for an act to legalize certain acts of the board of supervisors of Wapello county, Iowa.

And find the same correctly enrolled.

T. E. CLARK, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 298, a bill for an act authorizing boards of supervisors to appropriate amounts received as insurance thereon in reconstructing public buildings destroyed by fire, wind, and lightning.

Senate File No. 113, a bill for an act to increase the number of Circuit Judges in certain circuits, etc.

Senate File No. 20, a bill for an act to amend section 1717, chapter 9, title 12 of the Code, so as to enable boards of school directors to procure highways, etc.

T. E. CLARK, *Chairman.*

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House File No. 136, a bill for an act amending section 1324 of the Code in relation to telegraphs, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 244, a bill for an act in relation to taxation of telephones etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Senator Tirrill, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiary, having under consideration the advisability of authorizing the sale of certain penitentiary lands in Jones county, would report the following bill, with the recommendation that it do pass.

TIRRILL, *Chairman.*

Ordered passed on file.

Senator Kamrar, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred Senate File No. 314, a bill for an act authorizing the Executive Council to sell and convey an island newly formed by accretion in the Mississippi River, and located in sections 34 and 35, township 78, range 3, east of the 5th P. M., Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting after the word "enacted," in the fifteenth line of the first section, the words "by the General Assembly of the State of Iowa," and when so amended that it do pass.

KAMRAR, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred a joint resolution referring to the disposition of the proceeds of the sale of swamp lands by the several counties of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

KAMRAR, *Chairman.*

Ordered passed on file.

Senator Marshall, from the Committee on Reform Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Reform Schools, to whom was

referred House File No. 110, a bill for an act to amend certain sections of chapter 5, title 11 of the Code of 1873, relating to the time of holding pupils in the Girls' Department of the Iowa Reform School, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

MARSHALL, *Chairman.*

Ordered passed on file.

Senator Robinson, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 313, a bill for an act to increase the compensation of the Deputy Register of the State Land-office, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 284, a bill for an act to authorize incorporated towns and cities to procure and donate to railway companies sites for depots, machine-shops, and other buildings, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that section 2 be stricken out and the following be inserted in lieu thereof; viz.,

"SEC. 2. Before such donation shall be made or appropriation of funds to procure land for such purpose, a petition shall be presented to the trustees or council of such incorporated town or city, signed by a majority of the resident freehold taxpayers of such incorporated town or city, asking that such donation be made and limiting the sum to be appropriated for that purpose. Upon the presentation of such petition, a special election of such city or town shall be called. On the ballots used at such election shall be printed the words, "for the donation" and "against the donation," and if a two-thirds majority of the qualified electors voting at such election shall vote for the donation said trustees or council shall determine the site to be donated, designating the boundaries thereof and the amount to be appropriated in procuring said site, not exceeding the amount named in said petition, and may in the name of such incorporated town or city procure said land by purchase or by payment of the estimated damages in case said land, or any part thereof shall be taken in the name of such railway company by process of condemnation for railroad purposes, and may also vacate any streets and alleys within the boundaries of said site and may prescribe the terms, conditions, and limitations upon which such grant shall be made, which shall be binding upon the railway company accepting such donation: *provided*, that land set apart as a part of public square shall not be appropriated or donated under the provision of this act, and no land occupied with buildings used for business purposes or as private residences shall be appropriated or donated under the provis-

ions of this act unless the consent of the owners thereof shall first be obtained," and when so amended that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Nichols of Guthrie, from the Committee on County and Township Organization, submitted the following report:

MR. PRESIDENT—Your Committee on County and Township Organization to whom was referred Senate File No. 258, a bill for an act to change the name of the village of Steele, in Appanoose county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the said bill be amended by the insertion of the word "Plano" in the place of the words "Coal Ridge" wherever they occur in the said bill, and that when so amended that the bill do pass.

The committee desire to state that they propose this amendment at the request of the authors of the bill.

NICHOLS OF GUTHRIE, *Chairman*.

Ordered passed on file.

Senator Baker, from the Committee on Medicine, Surgery, and Hygiene, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery, and Hygiene, to whom was referred Senate File No. 273, a bill for an act to prevent and punish the adulteration of articles of food, drink, and medicine, and the sale thereof when adulterated; and prevent and punish the sale of certain inferior fabrics when reported as genuine, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BAKER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Medicine, Surgery, and Hygiene, to whom was referred petition of Henry H. Bosworth, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Military.

BAKER, *Chairman*.

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 113, a bill for an act to increase the number of circuit judges in each circuit of this State containing a city having a population in excess of twenty-two thousand and three hundred, and to provide for the election of said judges.

Senate File No. 298, a bill for an act authorizing boards of supervisors to appropriate amounts received as insurance thereon in constructing public buildings destroyed by fire, wind, or lightning.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Senator Rothert, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 176, a bill for an act to require the Board of Railroad Commissioners to determine matters in dispute in relation to railroad crossings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

#### SPECIAL ORDER.

Consideration of the special order was resumed, it being the consideration of appropriation bills.

Senate File No. 319, a bill for an act to appropriate funds to carry on the work at the Additional Penitentiary at Anamosa, with report of committee recommending that it do pass, was taken up and considered.

On motion of Senator Arnold the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Boling, Clark of Page, Cotton, Dashiell, Garber, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Shrader, Sudlow, Tirrill, Wilson, and Wright—36.

The nays were:

Senators Abraham, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Mitchell, and Wall—7.

Absent or not voting:

Senators Baker, Gillett, Graves, Rothert, Russell of Greene, Smith, and Whaley—7.

So the bill passed, and the title was agreed to.

Senate File No. 320, a bill for an act making appropriations for the Boys' Reform School at Eldora.

Senator Hemenway moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nielander, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Shrader, Tirrill, Wall, Wilson, and Wright—40.

The nays were—None.

Absent or not voting:

Senators Dashiell, Garber, Hunt, Nichols of Muscatine, Rothert, Russell of Greene, Smith, Sudlow, Whaley, and Parker—10.

So the bill passed, and the title was agreed to.

Senate File No. 318, a bill for an act entitled an act for an appropriation in aid and support of the State Normal School at Cedar Rapids, with report of the committee recommending that the bill do pass, was taken up and considered.

Senator Arnold moved that the words in the printed copy, "fifty-two thousand five hundred" be stricken out and "forty-nine thousand five hundred" be inserted in lieu thereof.

The motion prevailed.

Senator Kamrar moved an amendment to the bill by striking out "item 5," in line eight of section 1 of the printed copy, being the item providing for expending \$30,000 for a new building.

The question being on the adoption of the amendment proposed by Senator Kamrar, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Abraham, Bills, Clark of Wayne, Hebard, Hunt, Kamrar, Keller, Wall, and Wilson—9.

The nays were:

Senators Arnold, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hutchison, Johnson, Larabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Shrader, Sudlow, Tirrill, Whaley, and Wright—35.

Absent or not voting:

Senators Baker, Hall, Nichols of Benton, Russell of Greene, Russell of Jones, and Smith—6.

So the amendment was not adopted.

The question being on the engrossment of the bill, Senator Whaley moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hutchison, Johnson, Larabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—39.

The nays were:

Senators Abraham, Bills, Clark of Wayne, Hebard, Hunt, Keller, and Wall—7.

Absent or not voting:

Senators Baker, Hall, Kamrar, and Russell of Greene—4.

So the bill passed, and the title was agreed to.

Senator Nichols of Muscatine had leave to call up substitute for House Files Nos. 161, 166, and 196, a bill for an act to amend section 8, chapter 75 of the laws of the Eighteenth General Assembly, for an act to repeal section 1527, and to amend sections 1529 and 1537 of the

Code of 1873, in relation to the sale of intoxicating liquors, for the purpose of having the same referred to the Committee on Suppression of Intemperance.

Such reference was ordered.

House File No. 229, a bill for an act to lessen court costs, and providing for the trial of civil cases with nine jurors, was, on motion, ordered referred to the Judiciary Committee.

On motion of Senator Arnold the Senate adjourned until 2 o'clock P. M.

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### AFTERNOON SESSION.

2 O'CLOCK P. M.

The Senate met pursuant to adjournment, the President in the chair.

Senate File No. 161, a bill for an act for an appropriation in aid and support of the State University of Iowa, with report of the committee proposing a substitute and recommending that it be adopted and do pass, was taken up and considered.

The report of the committee was adopted.

The question being on the engrossment of the bill, Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Cotton, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nielander, Patrick, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—35.

The nays were:

Senators Abraham, Clark of Wayne, Hebard, and Wall—4.

Absent or not voting:

Senators Brown of Van Buren, Dashiell, Greenlee, Henderson, Johnson, Keller, Mitchell, Nichols of Muscatine, Parker, Poyneer, and Robinson—11.

So the bill passed, and the title was agreed to.

Senate File No. 188, a bill for an act to amend section 1675 of the Code, and to repeal section 1676 of the Code as amended by chapter 72 of the acts of the Seventeenth General Assembly, and chapter 165 of the acts of the Eighteenth General Assembly, and to enact a substitute therefor, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Cotton moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nielander, Patrick, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—42.

The nays were—None.

Absent or not voting:

Senators Dashiell, Greenlee, Keller, Mitchell, Nichols of Muscatine, Parker, Poyneer, and Robinson—8.

So the bill passed, and the title was agreed to.

Senate File No. 149, a bill for an act for an appropriation for the State Fish Commission, with report of the committee recommending that the bill do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Baker, Bills, Boling, Clark of Page, Cotton, Gillett, Graves, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hutchison, Johnson, Kamrar, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Tirrill, Whaley, Wilson, and Wright—35.

The nays were:

Senators Abraham, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Hunt, Keller, Mitchell, Sudlow, and Wall—9.

Absent or not voting:

Senators Dashiell, Garber, Greenlee, Hall, Nichols of Guthrie, and Robinson—6.

So the bill passed and the title was agreed to.

Senate File No. 143, a bill for an act to amend chapter 110 of the acts of the Thirteenth General Assembly, and chapter 35 of the acts of the Fourteenth General Assembly, and making additional appropriation for the completion of the capitol, with report of the committee proposing a substitute and recommending that it be adopted, and when adopted it do pass, was taken up and considered.

The substitute was adopted.

The question being on the engrossment of the bill, Senator Smith moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway,



Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—48.

The nays were—None.

Absent or not voting:

Senators Greenlee and Robinson—2.

So the bill passed and the title was agreed to.

Senator Arnold obtained leave to introduce Senate File No. 326, from the Committee on Appropriations, a bill for an act to amend section 1, chapter 194, laws of the Eighteenth General Assembly, entitled an act making appropriations for the Iowa State Library.

Read a first and second time.

The question being on the engrossment of the bill, Senator Arnold moved that rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—46.

The nays were—None.

Absent or not voting.

Senators Dashiell, Greenlee, Larrabee, and Robinson—4.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 465, a bill for an act to legalize the organization of Lime Rock and Rima independent school districts in Bremer county, Iowa.

House File No. 466, a bill for an act to legalize the organization and acts of the Humboldt College Association.

Substitute for House File No. 340, a bill for an act making appropriations for the Asylum for Feeble-Minded Children at Glenwood.

House File No. 270, a bill for an act apportioning the State into representative districts and declaring the ratio of representation.

Substitute for House File No. 324, a bill for an act making an appropriation for the Iowa Hospital for the Insane at Independence.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills without amendment:

Substitute for Senate File No. 187, a bill for an act making appropriations for the Girls' Reform School.

Also, substitute for Senate File No. 194, a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs, Iowa.

Substitute for Senate File No. 182, a bill for an act to appropriate funds to furnish buildings and make improvements for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa.

Also, substitute for Senate File No. 206, a bill for an act making appropriations for the improvement of the Iowa Penitentiary at Ft. Madison with the following amendment: add to section 1 "for completion of steam heating apparatus, \$3,000."

Also, that the House has passed the following bills:

Substitute for Senate File No. 249, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant, with the following amendments: Strike out of the fourteenth line the words "replacing sub-basement wall" and insert instead thereof "change heating and ventilating system."

Also, substitute for Senate File No. 192, a bill for an act apportioning the State of Iowa into senatorial districts with the following amendment: Strike out in section 1 the words "or fraction thereof equal to one-half in each senatorial district."

Also, without amendment, Senate File No. 259, a bill for an act to legalize the sale of certain school lands in Monona county, Iowa.

R. B. BAIRD, *Assistant Clerk*.

Senator Smith had leave to call up for consideration House File No. 111, a bill for an act to increase the support fund of the Girls' Department of the Iowa Reform School, with the report of the committee recommending that the bill do pass.

On motion of Senator Smith, the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—45.

The nays were—None.

Absent or not voting:

Senators Boling, Dashiell, Greenlee, Robinson, and Clark of Page—5.

So the bill passed, and the title was agreed to.

#### RESOLUTION.

Senator Nichols of Benton offered the following concurrent resolution, which was read a first and second time.

WHEREAS, Washburn, Moen & Co, and others, have bought up a number of patents, which patents were not for novel inventions, and

which patents relating to barb wire they do not now use, but have procured reissues of the same, covering more than the original patents; and

WHEREAS, Large quantities of barbed wire are in use by the farmers of Iowa, which it is claimed by said patentees is covered by said patents and reissues; and

WHEREAS, The said Washburn, Moen & Co. have obtained judgments in some cases where in actions brought by them they procured a settlement with the parties; and

WHEREAS, Said Washburn, Moen & Co. have based upon said judgments a monopoly of the manufacture and sale of barbed wire, greatly increasing the price of the same; and

WHEREAS, They commenced suits against farmers using the same to recover royalty thereon, and also commenced an action in the federal courts to enjoin the manufacture and sale of barbed wire by parties other than themselves; and while said actions were pending, the said Washburn, Moen & Co. procured settlements with the parties against whom suits were pending, when the same were about to be tried, and have thus prevented the farmers of Iowa from testing the validity of said patents and reissues; and

WHEREAS, While the said monopolists have power to select the parties defendant and make settlements with them, either by obtaining consent, decrees or by default, the farmers of Iowa are, and will continue to be, powerless to test the validity of such patents or reissues, and will be continually harrassed with litigation, and owing to the uncertainty, will be compelled to pay much more for said barbed wire than it would be sold for on the markets but for such uncertainty; and

WHEREAS, It seems advisable, if it can be done, to have the whole question settled in one proceeding, it is deemed advisable to have a proceeding commenced by the Attorney-general of the United States, in the name of and on behalf of the United States, for the purpose of determining the validity of such patents and reissues; therefore,

*Be it resolved by the General Assembly of the State of Iowa,* That the President of the United States be and is hereby respectfully requested to instruct the Attorney-general of the United States to bring an action in equity in the United States courts, on behalf of the United States, to set aside patents and reissues thereof now claimed to be owned by Washburn, Moen & Co., and others, relating to barbed wire, so far as the original patents or reissues, or any part thereof, may be found to be fraudulent, and to restrain such persons from commencing or prosecuting actions under or by virtue of any patent or reissue thereof found to be fraudulent, and to take all such steps and proceedings as shall be just and equitable in relation thereto.

That the Secretary of State of Iowa is hereby instructed to forward a certified copy of this resolution to each Senator and Representative from Iowa, and that the delegation in Congress from Iowa are hereby requested to present the foregoing resolution to the President of the United States, and to respectfully urge its favorable consideration.

Senator Hall proposed to amend the resolution by adding the following, which was adopted: "And if in their opinion it be necessary, that they endeavor to secure such general legislation as will authorize and

require in all proper cases, suits to be instituted by the United States Government to cancel patents issued inadvertently or void for want of novelty."

The question being on the engrossment of the resolution, Senator Nichols of Benton moved that the rule be suspended, and the resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

The question being, shall the resolution be adopted?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—46.

The nays were—None.

Absent or not voting.

Senators Dashiell, Greenlee, Larrabee, and Prizer—4.

So the resolution, was adopted.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills and joint resolution, which have passed both branches of the General Assembly, and have been duly enrolled, and signed by the Speaker of the House:

House File No. 448, a bill for an act to provide for the payment of the expenses of the committees appointed to visit the State institutions, and committee appointed to escort the remains of the late Hon. W. E. Webster to his home at Clarinda.

Senate File No. 20, a bill for an act to amend section, 1717, chapter 9, title 12 of the Code of Iowa, so as to enable the board of directors of district townships to procure highways to school-house sites.

Senate File No. 298, a bill for an act authorizing boards of supervisors to appropriate amounts received as insurance thereon, in reconstructing public buildings destroyed by fire, wind, or lightning.

Substitute for Senate File No. 113, a bill for an act to increase the number of circuit judges in each circuit of this State containing a city having a population in excess of twenty-two thousand and three hundred, and to provide for the election of said judges.

Memorial and joint resolution in relation to the investment of the endowment fund of the Iowa Agricultural College.

R. B. BAIRD, *Assistant Clerk.*

#### HOUSE MESSAGES.

On motion of Senator Arnold House messages were taken up.

Substitute for House File No. 340, a bill for an act making appropriations for the Asylum for Feeble-Minded Children, at Glenwood, Iowa.

Read a first and second time.

Senator Larrabee moved that the bill be considered now, which motion was agreed to.

Ordered that the bill be considered by sections, and the bill was so considered.

Senator Arnold offered an amendment which was adopted, striking from section 2 the words "one additional building, not to exceed three stories in height including basement," and inserting the words "additional buildings on the college plan, not more than one of which shall exceed three stories in height including basement."

On motion of Senator Larrabee the words "south and southeast of and" were stricken from section 3.

Section 6 was added to the bill as follows, on motion of Senator Larrabee.

SEC. 6. The trustees are hereby authorized and required to utilize the labor of the inmates of the institution, so far as conducive to their health and best interests, under such directions as the superintendent of the institution may direct.

The usual publication clause was added.

The word "asylum" was stricken from the bill and the word "institution" inserted instead, on motion of Senator Clark of Page.

The question being on the engrossment of the bill, Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—45.

The nays were—None.

Absent or not voting:

Senators Greenlee, Hemenway, Nichols of Benton, Russell of Greene, and Smith—5.

So the bill passed, and the title was agreed to.

Substitute for House File No. 324, a bill for an act making an appropriation for the Iowa Hospital for the Insane at Independence, was taken up.

The bill was read a first and second time.

The question being on the engrossment of the bill, Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Keller, Larrabee, Logan, Marshall, Mitchell,

Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—41.

The nays were—None.

Absent or not voting:

Senators Abraham, Gillett, Greenlee, Kamrar, Nichols of Benton, Nichols of Guthrie, Poyneer, Russell of Greene, and Wall—9.

So the bill passed, and the title was agreed to.

Substitute for Senate File No. 206, a bill for an act making appropriations for the improvement of the Iowa Penitentiary at Ft. Madison, together with the amendment proposed by the House, was taken up and considered.

The question being, shall the Senate concur in the House amendment?

The roll was called.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Graves, Greenlee, Hall, Hartshorn, Hebard, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Gillett, Harmon, Henderson, Larrabee, Nichols of Guthrie, Russell of Greene, and Wall—7.

So the Senate concurred in House amendment.

Substitute for Senate File No. 249, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant, together with the amendment proposed by the House, was taken up and considered.

The question being, shall the Senate concur in the House amendment? the roll was called.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Henderson, Larrabee, Nichols of Guthrie, Rothert, Russell of Greene, and Wall—4.

So the Senate concurred in House amendment.

Senator Baker, by leave, called up for consideration Senate File No. 296, a bill for an act to legalize the organization and official proceedings of the independent district of Castalia, Winneshiek county, Iowa, with report of committee recommending that it do pass.

On motion of Senator Baker the words "without expense to the State" were added to section 2.

Pending the consideration of section 21, on motion of Senator Russell of Greene, further consideration was postponed, and the bill was made a special order for to-morrow at 10 o'clock.

#### INTRODUCTION OF BILLS.

By Senator Parker, by leave, Senate File No. 327, a bill for an act for the relief of S. P. Beder.

Read a first and second time and referred to the Committee on Claims.

On motion of Senator Smith, the time of adjournment was extended until half past five o'clock.

Senator Robinson obtained leave to call up Senate File No. 40, a bill for an act to resume all of the lands and rights conferred upon the Sioux City & St. Paul Railroad Company by or under an act of Congress approved May 12, 1864, to lands not heretofore certified to said company, for the purpose of having the same made a special order for to-morrow at 11 o'clock, which was agreed to.

Senator Bills moved that Senate File No. 314, relative to authorizing the Executive Council to sell and convey a certain island newly formed by accretion in the Mississippi, be made a special order for to-morrow at 11 o'clock to follow the consideration of the bill heretofore set for that hour, which motion was agreed to.

Senate File No. 65 was made a special order for Monday at half past two o'clock, on motion of Senator Hall.

At half past five o'clock the Senate adjourned until to morrow.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 11, 1882. }

The Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. I. P. Wooton.

On motion of Senator Abraham the reading of yesterday's journal was dispensed with.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 179, a bill for an act to legalize the incorporation of the town of Braddyville, and the corporate acts thereof, and the acts of its officers.

Senate File No. 210, a bill for an act legalizing an ordinance passed by the city council of the city of Burlington, November 8, A. D. 1880, providing for the construction and maintenance of sewers, etc.

Senate joint resolution agreeing to an amendment to the Constitution of the State of Iowa prohibiting the manufacture and sale of intoxicating liquors as a beverage, within this State.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have presented the following bills to the Governor for his approval:

Senate File No. 135, a bill for an act in relation to the exemption of sewing-machines from execution and attachment.

Senate File No. 149, a bill for an act to legalize the incorporation of the town of Braddyville, and the corporate acts thereof, and acts of its officers.

Also, Senate joint resolution in regard to Washburn, Moen & Company, and instructing Attorney-general of the United States to bring suits in equity, etc.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 149, a bill for an act for and appropriation for the State Fish Commission.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have duly presented the bills and resolutions below to the Governor for signature:

Senate File No. 210, a bill for an act legalizing an ordinance passed by the city of Burlington, November 8, 1880, providing for construction and maintenance of sewers.

Joint resolution agreeing to an amendment to the Constitution of the State of Iowa prohibiting the manufacture and sale of intoxicating liquors.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Senator Wright, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 391, a bill for an act to legalize certain proceedings of the city council of the city of Pella, in the county of Marion, and State of Iowa, with regard to the purchase of the public square, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. F. WRIGHT, *Chairman pro tem*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 332, a bill for an act to legalize the act of the board of supervisors of Wapello county, Iowa, in levying an extra one-half mill poor fund tax in September, 1881, beg leave to report that they have had the same under consideration, and have instructed me to



report the same back to the Senate with the recommendation that it do pass.

GEO. F. WRIGHT, *Chairman pro tem.*

Ordered passed on file.

Senator Hartshorn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 316, a bill for an act to amend sections 1800 and 1801 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. J. HARTSHORN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 275, a bill for an act to amend certain sections of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the enclosed substitute to the Senate with the recommendation that it be adopted, and when adopted it do pass.

E. J. HARTSHORN, *Chairman.*

Ordered passed on file.

Senator Whaley, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred a joint resolution in relation to a badge of honor for Iowa soldiers and sailors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WHALEY, *Chairman.*

Ordered passed on file.

Senator Russell, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Resolution No. 3, in regard to instructing Congress to make the Agricultural Department at Washington a Bureau of Agriculture, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be adopted and passed by the Senate without amendment and as it was introduced by Senator Clark of Wayne.

JOHN RUSSELL, *Chairman.*

Ordered passed on file.

Senator Garber, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 458, a bill for an act authorizing the board of supervisors of Hardin county, Iowa, to establish a road through certain lands belonging to the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be passed by the Senate.

M. GARBER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 108, a bill for an act to regulate the working of highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

M. GARBER, *Chairman*.

Ordered passed on file.

Senator Wright, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 324, a bill for an act releasing the property of Boone township, Hamilton county, Iowa, from certain taxes voted in aid of the Toledo & Northwestern Railroad, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute back to the Senate with the recommendation that the substitute do pass.

GEO. F. WRIGHT, *Chairman pro tem*.

Ordered passed on file.

Senator Wilson, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution relating to pensioning the surviving members of the Thirty seventh Iowa Infantry, Graybeard Regiment, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. M. WILSON, *Chairman*.

Ordered passed on file.

Senator Wright, from the Committee on Congressional Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Congressional Districts, to whom was referred Senate Files Nos. 270, 285, 297, and 321, bills for acts to apportion the State of Iowa into eleven congressional districts, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the accompanying substitute back to the Senate with the recommendation that it do pass.

GEO. F. WRIGHT, *Chairman*.

Ordered passed on file.

Senator Johnson, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred joint resolution proposing to amend article 11, section 1 of the Constitution of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. K. JOHNSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to

whom was referred House joint resolution, by Dungan, proposing amendments to the Constitution, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be agreed to.

J. K. JOHNSON, *Chairman*.

Ordered passed on file.

Senator Nichols of Guthrie, from the Committee on County and Township Organization, submitted the following report.

MR. PRESIDENT—Your Committee on County and Township Organization, to whom was referred Senate File No. 211, a bill for an act to prohibit any person from holding more than one township office at the same time, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

NICHOLS OF GUTHRIE, *Chairman*.

Ordered passed on file.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 342, a bill for an act to correct certain conveyances of land made by the State of Iowa under patent to Henry Sido, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 267, a bill for an act to repeal subdivision 4 of section 2354, and section 2316 of the Code of 1873, and to enact a substitute therefor, relating to the appointment of executors, administrators, guardians, and appraisers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the publication clause thereof, and that when so amended it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 253, a bill for an act to amend section 4511 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 302, a bill for an act to amend sections 522 and 535 of the Code, in relation to city auditor and city clerk, beg leave to report that they have had the same under consideration, and have

instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 244, a bill for an act empowering cities under special charters to establish boards of health, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GRAVES, *Chairman*.

Ordered passed on file.

Senator Hebard, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House File No. 186, a bill for an act to pay S. C. Crawford for services and expenses in recruiting one company of soldiers in the months of October and November, 1861, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the following reasons: The same bill was before the Committee on Claims of the Senate during the session of the Eighteenth General Assembly, and its allowance refused because no effort was made for its collection when an opportunity was offered in 1865 or 1866. At that time a commission was appointed by the State of Iowa to receive and audit all war claims of this and kindred character. This claim, if presented at the time, was disallowed and ought not to be presented again. If not presented when the opportunity was offered it ought not to be now after the lapse of eighteen or twenty years.

ALFRED HEBARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 311, a bill for an act to reimburse Samuel Chandler and Daniel Farrol, for money expended in arresting Polk Wells and Wm. Norris, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out "three thousand" and insert "one thousand," and when so amended that it do pass.

Your Committee while making the above report desire also to express their appreciation of the important services rendered by the above named Samuel Chandler and Daniel Farrol in arresting two such dangerous men,—a service important not only to the locality where the robbery occurred, but to the State at large.

ALFRED HEBARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred concurrent resolution No. 5, authorizing the Executive Council and the

whom was referred House joint resolution, by Dungan, proposing amendments to the Constitution, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be agreed to.

J. K. JOHNSON, *Chairman*.

Ordered passed on file.

Senator Nichols of Guthrie, from the Committee on County and Township Organization, submitted the following report.

MR. PRESIDENT—Your Committee on County and Township Organization, to whom was referred Senate File No. 211, a bill for an act to prohibit any person from holding more than one township office at the same time, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

NICHOLS OF GUTHRIE, *Chairman*.

Ordered passed on file.

Senator Russell of Greene, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 342, a bill for an act to correct certain conveyances of land made by the State of Iowa under patent to Henry Sido, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 267, a bill for an act to repeal subdivision 4 of section 2354, and section 2316 of the Code of 1873, and to enact a substitute therefor, relating to the appointment of executors, administrators, guardians, and appraisers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the publication clause thereof, and that when so amended it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 253, a bill for an act to amend section 4511 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 302, a bill for an act to amend sections 522 and 535 of the Code, in relation to city auditor and city clerk, beg leave to report that they have had the same under consideration, and have

instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 244, a bill for an act empowering cities under special charters to establish boards of health, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GRAVES, *Chairman*.

Ordered passed on file.

Senator Hebard, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House File No. 186, a bill for an act to pay S. C. Crawford for services and expenses in recruiting one company of soldiers in the months of October and November, 1861, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the following reasons: The same bill was before the Committee on Claims of the Senate during the session of the Eighteenth General Assembly, and its allowance refused because no effort was made for its collection when an opportunity was offered in 1865 or 1866. At that time a commission was appointed by the State of Iowa to receive and audit all war claims of this and kindred character. This claim, if presented at the time, was disallowed and ought not to be presented again. If not presented when the opportunity was offered it ought not to be now after the lapse of eighteen or twenty years.

ALFRED HEBARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 311, a bill for an act to reimburse Samuel Chandler and Daniel Farrol, for money expended in arresting Polk Wells and Wm. Norris, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out "three thousand" and insert "one thousand," and when so amended that it do pass.

Your Committee while making the above report desire also to express their appreciation of the important services rendered by the above named Samuel Chandler and Daniel Farrol in arresting two such dangerous men,—a service important not only to the locality where the robbery occurred, but to the State at large.

ALFRED HEBARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred concurrent resolution No. 5, authorizing the Executive Council and the

Attorney-general to settle and compromise any judgment or judgments obtained against Seth Craig, late warden of the Penitentiary at Fort Madison, and other parties growing out of the administration, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that said concurrent resolution be adopted. Your committee believe that tedious and costly litigation will be avoided, and the interests of the State, financially at least, more effectually protected.

ALFRED HEBARD, *Chairman.*

Ordered passed on file.

#### SECOND READING OF BILLS.

Senator Rothert obtained leave to call up for consideration Senate File No. 3, a bill for an act to suppress the circulation and vending of obscene literature and articles of indecent and immoral use, and to confiscate such property used or designed to be used in the manufacture of such articles, with the report of the committee proposing amendments and recommending that they be adopted, and that the amended bill do pass.

The committee recommend by inserting after the word "used" and before the word "in" in fifth line of section 3 thereof, the words "with the knowledge and assent of the owner." Also, insert after the word "thereof" at end of fourteenth line, section 3, the words "in the same manner as in attachment of personal property before justices of the peace." Also, strike out from nineteenth and twentieth lines, section 3, the words "which time shall not be less than two nor more than three days after the date of said notice." Also, insert after the word "destroy" in the twenty-first line, section 3, the words "such of." Also, insert after the word "seized" in the twenty-first line, section 3, the words "as are not valuable and properly for legitimate sale and to sell the balance, if any, as property is sold on execution and the court shall apply the proceeds to the payment of costs, and the balance, if any, shall be disposed of as fines and forfeitures."

Which amendments were adopted.

Senator Bills moved to strike section 4 from the bill, which motion was lost.

The question being on the engrossment of the bill, Senator Rothert moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Clark of Page, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hebard, Hemenway, Hutchison, Johnson, Kamrar, Larrabee, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Rothert, Russell of Greene, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—36.

The nays were:

Senator Bills, Brown of Van Buren, Hartshorn, Hunt, and Poyneer—5.

Absent or not voting:

Senators Clark of Wayne, Cotton, Hall, Henderson, Keller, Logan, Marshall, Russell of Jones, and Wilson—9.

So the bill passed, and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 457, a bill for an act to legalize the acts of the board of directors of the Union Hall Association of Prairie City, Jasper county, Iowa.

Substitute for House File No. 238, a bill for an act making appropriations for the Iowa Agricultural College.

Substitute for House File No. 327, a bill for an act making appropriations for the College for the Blind.

House File No. 442, a bill for an act to legalize the levy of certain taxes in Mills county, Iowa.

House File No. 459, a bill for an act to amend sections 2253 and 2266 of the Code, in relation to the appointment and powers of guardians of non-resident idiots, lunatics, and persons of unsound mind.

House File No. 414, a bill for an act to legalize the organization and acts of the independent school district of Carl Village, consisting of territory in the county of Adams, Iowa.

House File No. 279, a bill for an act to legalize the acts of J. B. Lamb while acting as a justice of the peace in Allen township, Polk county, Iowa.

Substitute for House File No. 352, a bill for an act to amend section 3072 of the Code of 1873, in relation to the exemption of pensions of soldiers.

House File No. 395, a bill for an act to amend the special charters of cities of the first class, to make them conform to the charters of cities incorporated under the general law of Iowa, in relation to the compensation of public officers.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills without amendment:

Senate File No. 319, a bill for an act to appropriate funds to carry on the work at the Additional Penitentiary at Anamosa.

Senate File No. 320, a bill for an act making appropriations for the Boys' Reform School at Eldora.

Senate File No. 125, a bill for an act to legalize defective acknowledgments to written instruments recorded in this State.

Senate File No. 13, a bill for an act to legalize Ordinance No. 80, passed by the town council of the town of Manchester, in Delaware county, Iowa, in relation to purchasing a building for town purposes, and providing for the issuing of bonds in payment therefor.

E. C. HAYNES, *Clerk.*



Senator Marshall was granted leave of absence until Monday.

The time for the special order having arrived, it being House File No. 150, in relation to the compensation of sheriffs, on motion of Senator Russell of Greene the special order was postponed until after the consideration of House File No. 415.

On motion of Senator Russell of Greene, House File No. 415, a bill for an act to authorize incorporated towns and cities to procure and donate to railway companies sites for depots, machine-shops, and other buildings, was taken up, read a first and second time and considered.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Substitute for House File No. 67, a bill for an act to extend the time for paying the indebtedness of the Orphan Asylum at Andrew, to the State.

House File No. 216, a bill for an act to repeal section 2, of chapter 38, of the laws of the Eighteenth General Assembly, in relation to compensation of officers and employes of the General Assembly, and to enact a substitute therefor.

Senate File No. 308, a bill for an act to legalize certain acts of the board of supervisors of Wapello county, Iowa.

R. B. BAIRD, *Assistant Clerk.*

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined joint resolution whereas Washburn Moen & Company and others have bought up a number of patents which patents were not for novel inventions, and which patents relating to barded wire they do not now use, but have procured re-issues of the same covering more than the original patents.

And find the same correctly enrolled.

T. E. CLARK, *Chairman.*

The question being on the engrossment of the bill, Senator Russell of Greene moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Boling, Brown of Van Buren, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Nichols of Benton, Nichols of Guthrie, Robinson, Rothert, Russell of Greene, Tirrill, Whaley, and Wright—26.

The nays were:

Senators Abraham, Baker, Bills, Brown of Keokuk, Clark of Wayne, Cotton, Dashiell, Hunt, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Sudlow, Wall, and Wilson—17.

Absent or not voting:

Senators Clark of Page, Greenlee, Marshall, Mitchell, Russell of Jones, Shrader, and Smith—7.

So the bill passed, and the title was agreed to.

Senator Larrabee moved a reconsideration of the vote just taken, which motion was agreed to.

Senator Hemenway moved a reconsideration of the vote by which the bill was ordered to a third reading, which motion prevailed, and the bill was ordered passed on file.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to request your honorable body to return to the House, House File No. 415, a bill for an act to authorize incorporated towns and cities to procure and donate to railroad companies sites for depots, machine-shops, and other buildings for correction.

R. B. BAIRD, *Assistant Clerk.*

#### INTRODUCTION OF BILLS.

By Senator Shrader, Senate File No. 329, a bill for an act to regulate the tariff for passengers on sleeping cars.

Read a first and second time and referred to the Committee on Railways.

By Senator Mitchell, Senate File No. 330, a bill for an act providing for the taxation of certain property for road purposes.

Read a first and second time, and on motion recommitted to the Committee on Ways and Means.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills without amendment:

Substitute for Senate File No. 161, a bill for an act for an appropriation in aid and support of the State University of Iowa.

House File No. 318, a bill for an act entitled an act for an appropriation in aid and support of the State Normal School at Cedar Falls.

Senate File No. 149, a bill for an act for an appropriation for the State Fish Commission.

E. C. HAYNES, *Clerk.*

#### REPORTS OF COMMITTEES.

On motion of Senator Dashiell Senate concurrent resolution relative to writs pending against Seth Craig, late warden of the penitentiary at Ft. Madison, was taken up, considered, and adopted.

Senator Nichols of Guthrie had leave to call up for consideration Senate File No. 311, a bill for an act to reimburse Samuel Chandler and Daniel Farroll for money expended in arresting Polk Wells and William Norris, with report of committee recommending that the bill

be amended by striking out "three thousand" and inserting "one thousand" and that when so amended that it do pass.

Your committee while making the above report desire also to express their appreciation of the important services rendered by the above named Samel Chandler and Daniel Farroll, in arresting and securing two such dangerous men—a service important not only to the locality where the robbery occurred but to the State at large.

The report of the committee was adopted.

On motion of Senator Nichols of Guthrie the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Johnson, Kamrar, Keller, Larrabee, Logan, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patriok, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—46.

The nays were—None.

Absent or not voting:

Senators Hunt, Hutchison, Marshall, and Smith—4.

So the bill passed, and the title was agreed to.

The time of adjournment having arrived the time was extended until half-past twelve o'clock.

On motion of Senator Russell of Greene, the Secretary was directed to return to the House, House File No. 415, as per request.

Senator Whaley moved that when the Senate adjourn it be until 2 o'clock p. m., which motion was lost.

Senator Greenlee moved that the Senate do now adjourn, which motion was not agreed to.

On motion of Senator Arnold, substitute for House File No. 238, a bill for an act making appropriations for the Iowa Agricultural College, with report of the committee recommending that the bill do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Wilson, and Wright—44.

The nays were:

Senator Mitchell—1.

Absent or not voting:

Senators Abraham, Clark of Wayne, Hunt, Whaley, and Marshall—5.

So the bill passed, and the title was agreed to.

House File No. 327, a bill for an act making appropriations for the College for the Blind, was taken up and considered.

The question being on the engrossment of the bill, Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed.

Senator Hartshorn moved a reconsideration of the vote by which the bill was ordered to a third reading, which motion was agreed to.

The question being, shall the rule be suspended and the bill be read a third time? the same was lost.

On motion, substitute for Senate Files Nos. 270, 285, 297, 321, bills for an act to apportion the State of Iowa into eleven congressional districts, was made a special order for 3 o'clock P. M.

Senate File No. 207, a bill for an act authorizing the election of a commissioner of highways, defining his duties and those of other township officers in relation to the working of highways, and repealing section 968, chapter 2 of the Code, and chapter 52 of the acts of the Eighteenth General Assembly, was taken up and ordered made a special order for Monday at 11 o'clock.

On motion of Senator Hemenway, at 12:30 o'clock, the Senate adjourned.

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## AFTERNOON SESSION.

2:30 O'CLOCK P. M.

The time for the special order having arrived, it being Senate File No. 314, a bill for an act authorizing the Executive Council to sell and convey an island newly formed by accretion in the Mississippi River, and located in sections 34 and 35, township 78, range 3 east of the fifth P. M. Iowa, the bill was taken up and considered, with report of the committee recommending that the bill be amended by inserting after the word "enacted" in the fifteenth line of the first section the words "by the General Assembly of the State of Iowa," and when so amended that it do pass.

The report of the committee was adopted.

On motion of Senator Bills, the rule was suspended, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson,

Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—40.

The nays were—None.

Absent or not voting:

Senators Baker, Greenlee, Hebard, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, Shrader, and Wilson—10.

So the bill passed, and the title was agreed to.

Senator Larrabee had leave to call up Senate File No. 224, a bill for an act to provide a minimum tax to be collected of persons engaged in the sale of wine, beer, or alcoholic beverages, for the purpose of having the bill made a special order for Monday at three o'clock, which was ordered.

Senate File No. 267, a bill for an act to repeal subdivision 4 of section 2354, and section 2316 of the Code of 1873, and enact a substitute therefor, relating to the appointment of executors, administrators, guardians, and appraisers, with report of the committee recommending that it be amended by striking out the publication clause thereof, and that when so amended it do pass, was taken up and considered.

The report of the committee was adopted.

Senator Cotton moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—39.

The nays were:

Senators Abraham, Clark of Wayne, and Poyneer—3.

Absent or not voting:

Senators Graves, Hebard, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, and Shrader—8.

So the bill passed, and the title was agreed to.

Senator Parker had leave to call up for consideration House File No. 215, a bill for an act to legalize the incorporation, ordinances, and acts of the officers of the incorporated town of Britt, Hancock county, Iowa, with report of committee recommending that the bill do pass.

The question being on the engrossment of the bill, Senator Cotton moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker,

Patrick, Poyneer, Robinson, Rothert, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Hebard, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, and Shrader—6.

So the bill passed, and the title was agreed to.

#### RESOLUTION.

Senator Whaley offered the following resolution, which was adopted:

*Resolved*, That when the Senate adjourn it will be until 7½ o'clock this evening, and that the Secretary of the Senate is hereby instructed to select from the Senate file all bills in relation to legalizing acts, and bills of a local character, and the same bills shall be taken up for consideration to-night at 7½ o'clock, and continue until they are disposed of.

Leave of absence was asked for Senator Prizer for to-day.

Leave was granted.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill with amendment:

Senate File No. 129, a bill for an act granting additional powers to cities organized under the general incorporation laws of the State.  
Amendment:

1st. In section 1, line 3, strike out after the word "dealers," the words "or retail venders of fresh meat."

2d. In section 6, line 1, strike out the words "or present."

3d. In section 9, lines 3 and 4, after the word "cities," in line 3, strike out the words "and within one mile outside thereof."

E. C. HAYNES, *Chief Clerk*.

Senator Arnold had leave to call up House File No. 327, a bill for an act making appropriations for the College for the Blind.

The question being on the engrossment of the bill, Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Baker, Hebard, Marshall, Nichols of Guthrie, Rothert, Russell of Greene, and Shrader—7.

So the bill passed, and the title was agreed to.

Senator Greenlee had leave to call up for consideration Senate File No. 290, a bill for an act relating to the salaries of deputy clerks of District and Circuit Courts, treasurers, and auditors.

On motion of Senator Greenlee the special order was postponed until the bill under consideration was disposed of.

Senator Greenlee moved that the publication clause be added to the bill, which was agreed to.

Senator Robinson moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Logan, Mitchell, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—36.

The nays were:

Senators Abraham, Baker, Clark of Wayne, Nichols of Muscatine, and Russell of Jones—5.

Absent or not voting:

Senators Hebard, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, Shrader, and Smith—9.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 470, a bill for an act making an appropriation to pay the officers and trustees of the Institution for Feeble-Minded Children.

Also, that the House has concurred in Senate amendments to House File No. 340, a bill for an act making an appropriation for the Asylum for Feeble-Minded Children at Glenwood.

E. C. HAYNES, *Clerk*.

Senator Parker moved that House File No. 270, a bill for an act apportioning the State into representative districts and declaring the ratio of representation be referred to the Committee on Representative Districts, which was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 415, a bill for an act to authorize incorporated towns and cities to procure and donate to railway companies sites for depots, machine-shops, and other buildings.

R. D. BAIRD, *Assistant Clerk*.

Senator Robinson had the consent of the Senate to call up Senate File No. 40, a bill for an act to resume all lands and rights conferred upon the Sioux City & St. Paul Railroad, with report of the committee recommending that the accompanying substitute be adopted in lieu thereof and do pass.

The report of the committee was adopted.

Senator Smith moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Brown of Keokuk, Clark of Page, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Henderson, Hunt, Johnson, Kamrar, Keller, Larrabee, Logan, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Rothert, Russell of Jones, and Smith—27.

The nays were:

Senators Bills, Boling, Brown of Van Buren, Hemenway, Mitchell, Wilson, and Wright—7.

Absent or not voting:

Senators Clark of Wayne, Cotton, Hall, Hebard, Hutchison, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Robinson, Russell of Greene, Shrader, Sudlow, Tirrill, Wall, and Whaley—16.

So the bill passed, and the title was agreed to.

#### REPORT.

Park C. Wilson State Mine Inspector, in accordance with House concurrent resolution of the date of March 7, 1882, reported as follows:

*Resolved by the House, the Senate concurring,* That the State Mine Inspector be and he is hereby directed to make, or cause to be made, a careful and thorough inspection and survey of the coal mines in the vicinity of the property of the State, known as Capitol Square and Governor's Square in the city of Des Moines, Iowa, and report to this House, on or before the 11th inst., which of said mining companies, if any of them, are driving entries in their mines, in the direction and vicinity of said property, and the proximity of said entries to said squares, and whether in his opinion any immediate steps should be taken to protect said property from damage from such mining operations.

I hereby certify that the above is a true copy of a concurrent resolution which passed the House and was concurred in by the Senate, March 7, 1882.

E. C. HAYNES, *Chief Clerk*.



*To the Senate and House of Representatives of the Nineteenth General Assembly:*

GENTLEMEN—In accordance with the concurrent resolution passed by your honorable body directing me to make examination of the coal mines operating east of the capitol and report thereon, I would respectfully beg leave to report that I have made such examination and measurements, and find that the Watson Coal Company are working west from their main entry, on a line underground, corresponding with the alley between Locust Street and Sycamore Street in lot 41, and they have driven said entries a distance of two hundred and eighty-three feet from the west side of Fifteenth Street west, and are now operating within sixty-five feet of Franklin Street, on the east side of Franklin Square, East Des Moines, Iowa, and that no immediate danger can result to the Capitol Square from such underground operations, as they are about 1,800 feet from Capitol Square. I would respectfully suggest to your honorable body the propriety of prohibiting the extending of any mining operations west of Fourteenth Street and within one block of Governor's Square.

PARK C. WILSON, *State Mine Inspector.*

*Des Moines, Iowa, March 11, 1882.*

Ordered passed on file.

INTRODUCTION OF BILLS.

By the Judiciary Committee, Senate File No. 331, a bill for an act providing for the cancellation of tax vote to aid in the construction of railroads. The committee recommend that it do pass.

Ordered passed on file.

By Senator Hutchison, Senate File No. 332, a bill for an act to legalize the acts of the board of supervisors of Wapello county, Iowa, in levying an extra one-half mill poor fund tax in September, 1881.

Read a first and second time, and referred to the Committee on Judiciary.

By Committee on Public Buildings, Senate File No. 333, a bill for an act to amend section 3, of chapter 110, of the laws of the Thirteenth General Assembly, approved April 13, 1870.

Read a first and second time and ordered passed on file.

PETITION.

Senator Russell of Jones had leave to present a petition relative to the sale of liquors in cities and incorporated town, and asking a limitation of license.

BILLS ON THIRD READING.

Senate File No. 204, a bill for an act to repeal section 921 of the Code of 1873, and to enact a substitute therefor, relating to the establishment of highways, was taken up and read a third time.

The question being, shall the bill pass? the roll was called.

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Clark of Page, Dasbiell,

Nichols of Muscatine, Poyneer, Rothert, Sudlow, Wall, Whaley, Wilson, and Wright—13.

The nays were:

Senators Bills, Brown of Keokuk, Clark of Wayne, Cotton, Garber, Greenlee, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Mitchell, Nielander, Parker, Patrick, Robinson, Russell of Jones, Smith, and Tirrill—22.

Absent or not voting:

Senators Brown of Van Buren, Gillett, Graves, Hall, Harmon, Hebard, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, Shrader, and Wright—15.

So the bill did not pass.

Senate File No. 197, a bill for an act to amend section 215 of the Code of Iowa, in relation to attorneys' liens, was taken up and read a third time.

The question being, shall the bill pass? the roll was called.

The yeas were:

Senators Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Hall, Harmon, Hemenway, Henderson, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Mitchell, Parker, Robinson, Rothert, Russell of Jones, Smith, Tirrill, Wilson, and Wright—26.

The nays were:

Senators Abraham, Baker, Dashiell, Garber, Greenlee, Hunt, Nichols of Muscatine, Nielander, Patrick, Poyneer, and Sudlow—11.

Absent or not voting:

Senators Arnold, Gillett, Graves, Hartshorn, Hebard, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, Shrader, Wall, and Whaley—13.

So the bill passed, and the title was agreed to.

Substitute for House File No. 419, a bill for an act to appropriate money to T. Whiting for lease of property to the Girls' Department of the Reform School, was taken up and read a third time.

The question being, shall the bill pass? the roll was called.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Garber, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Johnson, Kamrar, Keller, Larrabee, Mitchell, Nichols of Muscatine, Parker, Patrick, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—37.

The nays were:

Senators Dashiell and Nielander—2.

Absent or not voting:

Senators Gillett, Hebard, Hutchison, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Poyneer, Prizer, Russell of Greene, and Shrader—11.

So the bill passed, and the title was agreed to.

Senate File No. 152, a bill for an act to legalize certain proceedings, orders, and judgments of the District and Circuit Courts of the Fifth Judicial District of Iowa, was taken up, with the amendment proposed by the House.

The question being, shall the House amendment be concurred in? the roll was called.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Keller, Larrabee, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—39.

The nays were—None.

Absent or not voting:

Senators Gillett, Hebard, Kamrar, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Poyneer, Prizer, Russell of Greene, and Shrader—11.

So the House amendment was concurred in.

#### SECOND READING OF BILLS.

Senator Garber moved that House File No. 133, a bill for an act to amend section 934 of the Code of 1873, be taken up and substituted for Senate File No. 86, which was agreed to.

The committee recommend that Senate File No. 133 do pass.

The question being on the engrossment of the bill, Senator Garber moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patriok, Poyneer, Robinson, Rothert, Russell of Jones, Smith, Tirrill, Wall, Whaley, Wilson, and Wright—41.

The nays were—None.

Absent or not voting:

Senators Hartshorn, Hebard, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, Shrader, and Sudlow—9.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills and joint resolution, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Senate File No. 179, a bill for an act to legalize the incorporation of the town of Braddyville and the corporate acts thereof, and the acts of its officers.

Senate File No. 135, a bill for an act in relation to the exemption of sewing-machines from execution and attachment.

House File No. 324, a bill for an act making appropriations for the Iowa Hospital for the Insane at Independence.

A joint resolution in relation to barbed wire and other patents.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed a substitute for joint resolution in relation to requesting our Senators and Representatives in Congress to prevent an increase of duty on steel blooms and wire rods.

R. B. BAIRD, *Assistant Clerk*.

Senate File No. 26, a bill for an act providing for an election of assessor for State and county purposes in cities organized and existing under special charters, was taken up and considered.

On motion of Senator Rothert the words "located in counties having two county seats" were inserted after the word "cities," in the fourth line of section 1.

The words "located in counties having two county seats" were inserted after the word "cities," in the title of the bill.

Senator Rothert moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Wilson, and Wright—38.

The nays were—None.

Absent or not voting.

Senators Clark of Wayne, Gillett, Graves, Hebard, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, Shrader, and Whaley—12.

So the bill passed, and the title was agreed to.

Senate File No. 88, a bill for an act to regulate the sale of coal oil, and to repeal chapter 172 of the laws of 1878, and section 3901 of the Code, was taken up, and on motion was indefinitely postponed.

Senate File No. 168, a bill for an act to repeal section 1268 of the Code, and to enact a substitute therefor, with report of the committee recommending indefinite postponement, was taken from the file for consideration, and the report of the committee was adopted.

On motion, the consideration of House File No. 150, a bill for an act to repeal chapter 115, laws of the Eighteenth General Assembly, relating to compensation of sheriffs, and to enact a substitute in lieu thereof, was resumed.

The question before the Senate being the consideration of section 21 of said bill, Senator Johnson moved a reconsideration of the vote by which the substitute for section 21, recommended by the committee, was lost, which was agreed to.

The question being on the adoption of the substitute for section 21, proposed by the committee, the report was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills and joint resolution, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

Senate File No. 210, a bill for an act legalizing an ordinance passed by the city council of the city of Burlington, November 8, A. D. 1880, providing for the construction and maintenance of sewers, etc.

House File No. 340, a bill for an act making appropriations for the Institution for Feeble-Minded Children at Glenwood.

Joint resolution agreeing to an amendment to the Constitution of the State of Iowa, prohibiting the manufacture and sale of intoxicating liquors as a beverage within this State.

R. B. BAIRD, *Assistant Clerk.*

Senator Russell of Jones moved to strike from section 23 the words "less than 280 and," which motion did not prevail.

The several sections of the bill were adopted, and those amended were adopted as amended.

The question being, shall the bill be engrossed for a third reading? Senator Robinson moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—40.

The nays were:

Senator Wall—1.

Absent or not voting:

Senators Hall, Hebard, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, and Shrader—9.

So the bill passed, and the title was agreed to.

Senate File No. 98, a bill for an act to repeal chapter 115, laws of the Eighteenth General Assembly, and to enact a substitute therefor in relation to the compensation of sheriffs, was taken from the file, and on motion indefinitely postponed.

Senate File No. 79, a bill for an act for the prevention of glanders.

And also, Senate resolution in regard to printing a new edition of the Constitution of 1857, were, on motion, indefinitely postponed.

Senate reconsidered the vote on the resolution relative to a night session, and the resolution was laid on the table.

Senate File No. 103, a bill for an act to amend section 2114, chapter 6, title 14 of the Code of 1873, was taken up and considered.

Senator Larrabee moved to strike from sections 1 and 2 the words "or peddlers of merchandise, machinery, or other articles," and the amendment was agreed to.

On motion of Senator Larrabee the word "itinerant" was inserted before the word "venders" where the word occurs in the bill.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills without amendment:

Senate File No. 299, a bill for an act to amend chapter 83 of the acts of the Seventeenth General Assembly amendatory of section 4785 of the Code in relation to the support of convicts.

Senate File No. 174, a bill for an act providing for the levy of one-half mill State tax for the years 1882 and 1883, to reimburse the general revenue fund of the State for money paid on account of war debts and for the completion of the new capitol, and other purposes.

Senate File No. 143, a bill for an act to amend chapter 110 of the acts of the Thirteenth General Assembly, and chapter 35 of the acts of the Fourteenth General Assembly, and making an additional appropriation for completing the capitol.

Also, the House has passed Senate File No. 193, a bill for an act to amend section 1, chapter 203, laws of the Eighteenth General Assembly, relating to the Institution for the Deaf and Dumb with the following amendment: by striking out of last line of section 1 the word "fifteen" and insert the word "sixteen."

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 434, a bill for an act to repeal chapter 81, laws of the Seventeenth General Assembly, and to enact a substitute therefor, relating to support of convicts in the Additional Penitentiary.

R. B. BAIRD, *Assistant Clerk*.

Senator Johnson moved that the bill be made a special order for Monday, at three o'clock P. M.

The time for adjournment having arrived, on motion of Senator Tirrill the time was extended one hour.

Senator Bills moved that bills for legalizing acts be taken up, which motion prevailed.

Senate File No. 306, a bill for an act to legalize the proceedings of the town council of Manchester, Iowa, was taken up and considered.

The question being on the engrossment of the bill, Senator Tirrill moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Van Buren,

Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson and Wright—37.

The nays were—None.

Absent or not voting:

Senators Brown of Keokuk, Hall, Harmon, Hebard, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, and Shrader—13.

So the bill passed, and the title was agreed to.

House File No. 371, a bill for an act to legalize the incorporation of the town of Lacona, Warren county, Iowa, the election of its officers, and the ordinances passed by the council of said town, was taken up, with the report of the committee recommending that the bill do pass.

The question being on the engrossment of the bill, Senator Dashiell moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—37.

The nays were—None.

Absent or not voting:

Senators Clark of Page, Clark of Wayne, Hall, Hebard, Johnson, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, and Shrader,—13.

So the bill passed and the title was agreed to.

Senate File No. 268, a bill for an act legalizing the appointment of executors, administrators, guardians, and appraisers heretofore made by the clerks of the various Circuit Courts of this State, was taken up and considered, with report of the committee recommending that it do pass.

The question being on the engrossment of the bill, Senator Cotton moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—36.

The nays were—None.

Absent or not voting:

Senators Clark of Page, Clark of Wayne, Hall, Hebard, Johnson,

Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, and Shrader—14.

So the bill passed and the title was agreed to.

Senate File No. 310, a bill for an act to legalize the organization and acts of the Humboldt Collegiate Association, was taken up and considered.

On motion of Senator Hartshorn the word "collegiate" was stricken from the bill and the word "college" inserted in lieu thereof.

The question being on the engrossment of the bill, Senator Hartshorn moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, Mitchell, Nicholas of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—38.

The nays were—None.

Absent or not voting:

Senators Clark of Wayne, Gillett, Hall, Hebard, Keller, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, and Shrader—12.

So the bill passed, and the title was amended by striking out the word "collegiate" and inserting "college" in lieu thereof, and as amended the title was agreed to.

House File No. 424, a bill for an act legalizing the action of the board of directors of the independent district of Livermore, in Humboldt county, Iowa, with report of committee recommending it do pass, was taken up for consideration.

The question being on the engrossment of the bill, Senator Wilson moved that rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Dashiell, Garber, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Kamrar, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—34.

The nays were—None.

Absent or not voting:

Senators Clark of Page, Clark of Wayne, Gillett, Hall, Hebard, Hutchison, Johnson, Keller, Larrabee, Marshall Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, and Shrader—16.

So the bill passed, and the title was agreed to.

House File No. 391, a bill for an act to legalize certain proceedings



of the city council of the city of Pella, in the county of Marion, and State of Iowa, with regard to the purchase of a public square, was taken up and considered.

The question being on the engrossment of the bill, Senator Wright moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Dashiell, Garber, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—36.

The nays were—None.

Absent or not voting:

Senators Clark of Page, Clark of Wayne, Gillett, Hall, Hebard, Johnson, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, and Shrader—14.

So the bill passed, and the title was agreed to.

Senate File No. 332, a bill for an act to legalize the acts of the board of supervisors of Wapello county, Iowa, in levying an extra half mill poor fund tax in September, 1881, was taken up and considered.

The question being on the engrossment of the bill, Senator Hutchison moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Dashiell, Garber, Graves, Greenlee, Harmon, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—32.

The nays were—None.

Absent or not voting:

Senators Clark of Page, Clark of Wayne, Gillett, Hall, Hartshorn, Hebard, Johnson, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, and Wall—18.

So the bill passed, and the title was agreed to.

House File No. 173, a bill for an act to legalize the acts and doings of the town council of North Des Moines, Polk county, Iowa, with the report of the committee offering a substitute and recommending that the substitute be adopted in lieu thereof, and do pass, was taken up and considered.

The substitute was adopted.

The question being on the engrossment of the bill, Senator Smith moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Cotton, Dashiell, Garber, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—33.

The nays were—None.

Absent or not voting:

Senators Brown of Van Buren, Clark of Page, Clark of Wayne, Gillett, Hall, Hebard, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, and Wall—16.

So the bill passed and the title was agreed to.

House File No. 387, a bill for an act to legalize the acts of board of trustees of Bristow, Butler county, Iowa, with the report of the committee recommending that the bill do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Whaley moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Garber, Graves, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—32.

The nays were—None.

Absent or not voting:

Senators Clark of Page, Clark of Wayne, Dashiell, Gillett, Greenlee, Hall, Hebard, Johnson, Keller, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, and Wilson—18.

So the bill passed, and the title was agreed to.

Substitute for House File No. 105, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of West McGregor, Clayton county, Iowa, with report of the committee recommending that the bill do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Garber moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Garber, Graves, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Smith, Sudlow, Whaley, Wilson, and Wright—30.

The nays were—None.

Absent or not voting:

Senators Clark of Page, Clark of Wayne, Dashiell, Gillett, Greenlee, Hall, Hebard, Johnson, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, Tirrill, and Wall—20.

So the bill passed, and the title was agreed to.

Senate File No. 261, a bill for an act to legalize the incorporation of the town of Gladbrook, Tama county, Iowa, with the report of the committee offering a substitute and recommending that it be adopted and do pass, was taken up for consideration.

The substitute recommended by the committee was adopted.

The question being on the engrossment of the bill, Senator Poyneer moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Garber, Graves, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—30.

The nays were—None.

Absent or not voting:

Senators Arnold, Clark of Page, Clark of Wayne, Dashiell, Gillett, Greenlee, Hall, Hebard, Johnson, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, and Wall—20.

So the bill passed, and the title was agreed to.

House File No. 381, a bill for an act legalizing the organization and acts of the independent district of Omaha, in Pilot township, Iowa county, Iowa, with report of committee recommending that the bill do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Patrick moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Garber, Graves, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Smith, Sudlow, Tirrill, Whaley, and Wright—30.

The nays were—None.

Absent or not voting:

Senators Clark of Page, Clark of Wayne, Dashiell, Gillett, Greenlee, Hall, Hebard, Johnson, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, Wall, and Wilson—20.

So the bill passed, and the title was agreed to.

Senate File No. 203, a bill for an act to legalize and make valid and

binding the establishment of highways of a less width than sixty feet, by county auditor, was taken up and considered.

The question being on the engrossment of the bill, Senator Wilson moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Garber, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—29.

The nays were—None.

Absent or not voting:

Senators Clark of Page, Clark of Wayne, Dashiell, Gillett, Graves, Greenlee, Hall, Hebard, Johnson, Keller, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, and Wall—21.

So the bill passed, and the title was agreed to.

House File No. 342, a bill for an act entitled an act to correct certain conveyances of land made by the State of Iowa, under patent to Henry Sido, was taken up and considered.

The question being on the engrossment of the bill, Senator Whaley moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Garber, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—29.

The nays were—None:

Absent or not voting.

Senators Baker, Clark of Page, Clark of Wayne, Dashiell, Gillett, Graves, Greenlee, Hall, Hebard, Johnson, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, and Wall—21.

So the bill passed, and the title was agreed to.

Senate File No. 331, a bill for an act to provide for the cancellation of tax voted to aid in the construction of railroads, with report of the committee recommending that the bill do pass, was taken up for consideration.

The question being on the engrossment of the bill,

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Garber, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—29.

The nays were—None.

Absent or not voting:

Senators Baker, Clark of Page, Clark of Wayne, Dashiell, Gillett, Graves, Greenlee, Hall, Hebard, Johnson, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, and Wall—21.

So the bill passed, and the title was agreed to.

At seven o'clock the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 13, 1882. }

The Senate met pursuant to adjournment and was called to order by the President.

Prayer by Rev. Keith.

The reading of the journal was dispensed with, on motion of Senator Graves.

#### HOUSE MESSAGES.

House messages were, on motion, taken up.

House File No. 415, a bill for an act to authorize incorporated towns to procure and donate to railway companies sites for depots, machine-shops, and other buildings.

Ordered passed on file.

Senate joint resolution relative to duty on steel blooms and wire rods, with the House amendment thereto was taken up and considered.

The question before the Senate being, shall the Senate concur in the House amendment? the roll was called.

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Larrabee, Logan, Mitchell, Nichols of Muscatine, Nielandner, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—36.

The nays were—None.

Absent or not voting:

Senators Arnold, Greenlee, Hall, Harmon, Hebard, Kamrar, Keller, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, Shrader, and Wilson—14.

So the Senate concurred in House amendment.

Senator Rothert moved that the Secretary be instructed to request the House to return Senate File No. 309 to the Senate, which motion prevailed.

Senator Larrabee moved that Senate File No. 176, a bill for an act to require the Board of Railroad Commissioners to determine matter in dispute in railroad crossings, be taken up and considered.

The committee recommend that the bill do pass.

The question being on the engrossment of the bill, Senator Brown of Van Buren moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Hall, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Russell of Jones, Smith, Sudlow, Tirrill, Wall, and Wright—37.

The nays were—None.

Absent or not voting:

Senators Arnold, Greenlee, Harmon, Hebard, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, Shrader, Whaley, and Wilson—13.

So the bill passed, and the title was agreed to.

#### RESOLUTION.

Senator Garber, by leave, offered the following resolution, which was adopted:

*Resolved by the Senate*, That on and after Monday noon, March 13, it shall be the duty of all committee clerks to remain in the Senate Chamber while the Senate is in session and perform such services as the Secretary of the Senate may direct, and it shall be the duty of the Secretary, and he is hereby instructed to disallow the compensation of any committee clerk for each day or parts of days that he neglects to comply with the terms of this resolution.

Senator Russell of Jones offered the following:

*Resolved by the Senate*, That in view of the fact that the General Assembly has fixed the day for its final adjournment on the 16th inst., the President of the Senate shall appoint a committee to consist of nine members, who shall act as a sifting committee, whose duty it shall be to examine all bills on the files of the Senate and arrange them in three separate classes. The bills in the first class to be composed of such as may be considered of the greatest public importance; and each bill shall be placed on the files in the order of its importance to be taken up and considered in that. The bills deemed of secondary importance shall also be arranged in their order in the second class. And bills of the third class shall be composed of such as the committee may consider of minor importance. Said committee shall report its action to the Senate on or before the fourteenth day of March.

The resolution was adopted.

Senate File No. 329, a bill for an act granting additional powers to cities organized under the general incorporation laws of the State, was taken up and considered, together with House amendments as follows:

1. In section 1, line three, strike out after the word "dealers" the words "or retail venders of fresh meat."

2. In section 6, line one, strike out the words "or present."

3. Section 9, lines three and four, after the word "cities" in line 3 strike out the words "and within one mile outside thereof."

The question being, shall the Senate concur in House amendments? the roll was called.

The yeas were:

Senators Abraham, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Garber, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Keller, Logan, Mitchell, Nichols of Muscatine, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Wall, Whaley, and Wright—33.

The nays were:

Senators Henderson and Nielander—2.

Absent or not voting:

Senators Arnold, Baker, Dashiell, Graves, Hebard, Kamrar, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, Shrader, Tirrill, and Wilson—15.

So the Senate concurred.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed by the House to return to the Senate, as requested, the following bill:

Senate File No. 309, a bill for an act to amend section 1, chapter 92, entitled an act to amend section 14, chapter 70, acts of the Sixteenth General Assembly, relating to the propagation of fish.

R. B. BAIRD, *Assistant Clerk*.

Senate File No. 193, a bill for an act to amend section 1, chapter 203, laws of the Eighteenth General Assembly, relating to the Institution for the Deaf and Dumb, with the following amendment: by striking out of last line of section 1 the word "fifteen" and inserting the word "sixteen," proposed by the House, was taken up and considered.

The question being, shall the Senate concur in the House amendment? the roll was called.

The yeas were:

Senators Abraham, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Wall, and Wright—36.

The nays were—None.

Absent or not voting:

Senators Arnold, Baker, Hebard, Larrabee, Logan, Marshall Mitchell, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, Shrader, Whaley, and Wilson—14.

So the Senate concurred in the House amendment.

House File No. 434, a bill for an act to repeal chapter 81, laws of the Seventeenth General Assembly, and to enact a substitute therefor, relating to the support of convicts in the Additional Penitentiary.

Read a first and second time and referred to the Committee on Penitentiary.

House File No. 470, a bill for an act making an appropriation to pay the officers and teachers of the Institution for Feeble-Minded Children.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 460, a bill for an act requiring railroads to stop trains before crossing other tracks.

Read a first and second time and referred to the Committee on Railways.

House File No. 345, a bill for an act to designate the title of the officers in charge of the Girls' Reform School.

Read a first and second time and referred to the Committee on Reform Schools.

House File No. 78, a bill for an act to require boards of supervisors to award all contracts to lowest responsible bidders after advertising for bids.

Read a first and second time and referred to the Committee on Printing.

House File No. 179, a bill for an act to repeal section 1862, chapter 12, title 12, of the Code, and enact a substitute therefor.

Read a first and second time and referred to the Committee on Schools.

House File No. 154, a bill for an act to repeal section 4712 of the Code of Iowa, relating to the pardoning power, and enact a substitute therefor.

Read a first and second time and referred to the Committee on Penitentiary.

House File No. 162, a bill for an act to prevent the manufacture and sale of adulterated food and drugs.

Read a first and second time and referred to the Committee on Medicine, Surgery, and Hygiene.

House File No. 172, a bill for an act to provide for the publication of city and town ordinances in book or pamphlet form and for the taking effect thereof.

Read a first and second time and referred to the Committee on Municipal Corporations.

House File No. 306, a bill for an act to prevent and punish the adulteration of articles of food, drink, and medicine, and the sale thereof when adulterated.

Read a first and second time and referred to the Committee on Medicine, Surgery, and Hygiene.

House File No. 404, a bill for an act to legalize the sale and transfer by the St. Paul & Sioux City Railroad Company of its railroads in Iowa to the Chicago, St. Paul & Minneapolis and St. Paul & Omaha Railway Company, and to legalize the issue of its stock and bonds thereon by the last named company.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 444, a bill for an act to legalize the incorporation of the town of Lucas, in Lucas county, Iowa.



Read a first and second time.

The question being on the engrossment of the bill, Senator Wilson moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass.

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Russell of Jones, Smith, Tirrill, Wall, Whaley, Wilson, and Wright—40.

The nays were—None.

Absent or not voting.

Senators Baker, Cotton, Hebard, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, Shrader, and Sudlow—10.

So the bill passed, and the title was agreed to.

Senator Wall had leave to call up for consideration Senate File No. 258, a bill for an act to change the name of the village of Steele, in Appanoose county, with the report of the committee recommending that the bill be amended by the insertion of the word "Plano" in the place of the words "Coal Ridge" wherever they occur in the said bill, and that when so amended that the bill do pass.

The committee desire to state that they propose the amendment at the request of the author of the bill.

The report of the committee was adopted.

The question being on the engrossment of the bill, Senator Wall moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—41.

The nays were—None.

Absent or not voting:

Senators Arnold, Hall, Hebard, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, and Shrader—9.

So the bill passed, and the title was agreed to.

House File No. 457, a bill for an act to legalize the acts of the board of directors of the Union Hall Association of Prairie City, Jasper county, Iowa.

Read a first and second time.

The question being on the engrossment of the bill, Senator Sudlow moved that the rule be suspended, and the bill be considered engrossed,

and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Graves, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—37.

The nays were—None.

Absent or not voting:

Senators Arnold, Gillett, Greenlee, Hall, Harmon, Hebard, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, and Shrader—13.

So the bill passed, and the title was agreed to.

#### REPORT OF COMMITTEE.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have presented the following bill to the Governor for his approval:

Senate File No. 308, a bill for an act to legalize certain acts of the board of supervisors of Wapello county, Iowa.

T. E. CLARK, *Chairman*.

House File No. 442, a bill for an act to legalize the levy of certain taxes in Mills county, Iowa.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 459, a bill for an act to amend sections 2253 and 2266 of the Code in relation to the appointment and powers of guardians of non-resident idiots, lunatics, and persons of unsound minds.

Read a first and second time.

The question being on the engrossment of the bill, Senator Smith moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Smith, Tirrill, Whaley, and Wilson—37.

The nays were—None.

Absent or not voting:

Senators Arnold, Brown of Van Buren, Hall, Hebard, Marshall, Nich-

ols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, Shrader, Sudlow, Wall, and Wright—13.

So the bill passed, and the title was agreed to.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 299, a bill for an act to amend chapter 83 of the acts of the Seventeenth General Assembly, amendatory of section 4785 of the Code, in relation to the support of convicts.

Senate File No. 319, a bill for an act to appropriate funds to carry on the work at the Additional Penitentiary at Anamosa.

Senate File No. 182, a bill for an act to appropriate funds to furnish buildings and make improvements for the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

House File No. 414, a bill for an act to legalize the organization and acts of the independent school district of Carl Village, consisting of territory in the county of Adams, Iowa.

Read a first and second time and referred to the Committee on Judiciary.

House File No. 279, a bill for an act to legalize the acts of J. B. Lamb while acting as a justice of the peace in Allen township, Polk county, Iowa.

Read a first and second time and referred to the Committee on Judiciary.

Substitute for House File No. 352, a bill for an act to amend section 3072 of the Code of 1873, in relation to the exemption of pensions of soldiers.

Read a first and second time, and referred to the Committee on Ways and Means.

House File No. 395, a bill for an act to amend the special charters of cities of the first class, to make them conform to the charters of cities incorporated under the general law of Iowa, in relation to compensation of public officers.

Read a first and second time and referred to the Committee on Municipal Corporations.

House File No. 465, a bill for an act to legalize the organization of Lime Rock and Rima independent school districts, in Bremer county, Iowa.

Read a first and second time.

The question being on the engrossment of the bill, Senator Whaley moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Clark of Wayne, Dashiell, Garber, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller,

Larrabee, Logan, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—37.

The nays were—None.

Absent or not voting:

Senators Arnold, Brown of Van Buren, Clark of Page, Cotton, Gillett, Hebard, Marshall, Mitchell, Nichols of Benton, Prizer, Russell of Greene, and Shrader—13.

So the bill passed, and the title was agreed to.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 69, a bill for an act to enable townships, incorporate towns and cities acting under special charters to aid in the construction of county bridges in certain cases.

Senate File No. 125, a bill for an act to legalize defective acknowledgments to written instruments recorded in this State.

Senate File No. 143, a bill for an act to amend chapter 110 of the acts of the Thirteenth General Assembly, and chapter 35 of the acts of the Fourteenth General Assembly, and making an additional appropriation for completing the capitol.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

House File No. 466, a bill for an act to legalize the organization and acts of the Humboldt College Association.

Read a first and second time and ordered passed on file.

Substitute for Senate File No. 162, a bill for an act to amend paragraph four of section 2529 of chapter 2, title 17 of the Code of 1873, relating to limitation of actions, was taken up and considered.

On motion of Senator Nichols of Guthrie the special order, the time for which had arrived, was postponed until after the pending question shall be disposed of.

The question before the Senate being, shall the Senate concur in the House amendment? the roll was called.

The yeas were:

Senators Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Harmon, Logan, Mitchell, Patrick, Robinson, Tirrill, and Wall—12.

The nays were:

Senators Abraham, Baker, Bills, Boling, Cotton, Garber, Gillett, Graves, Greenlee, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Poyneer, Rothert, Russell of Jones, Sudlow, Whaley, Wilson, and Wright—29.

Absent or not voting:

Senators Arnold, Hall, Hebard, Marshall, Nichols of Benton, Prizer, Russell of Greene, Shrader, and Smith—9.

So the Senate refused to concur.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report they have examined Senate File No. 206, a bill for an act making appropriations for the improvement of the Iowa Penitentiary at Fort Madison.

Senate File No. 318, a bill for an act entitled an act for an appropriation in aid and support of the State Normal School at Cedar Falls.

Senate File No. 249, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant.

Senate File No. 161, a bill for an act for an appropriation in aid and support of the State University of Iowa.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

House File No. 388, a bill for an act to legalize the incorporation of the town of Humeston.

Read a first and second time.

The question being on the engrossment of the bill, Senator Clark of Wayne moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rother, Russell of Jones, Sudlow, Tirrill, Wall, and Wright—37.

The nays were—None.

Absent or not voting.

Senators Arnold, Cotton, Gillett, Hebard, Logan, Marshall, Nichols of Benton, Prizer, Russell of Greene, Shrader, Smith, Whaley, and Wilson—13.

So the bill passed, and the title was agreed to.

Senator Wright moved that substitute for Senate Files relating to apportioning the State of Iowa into congressional districts, be made a special order for 3 o'clock P. M., which motion prevailed.

#### SPECIAL ORDER.

The time for the special order having arrived, it being Senate File No. 207, a bill for an act authorizing the election of a commissioner of highways, defining his duties and those of other township officers in relation to the working of highways, and repealing chapter 2, and section 988 of the Code, and chapter 52, of the acts of the Eighteenth General Assembly.

The special order was taken up and considered.

## REPORT OF COMMITTEE.

Senator Parker, by leave, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred substitute for House File No. 235, a bill for an act to repeal section 3900 of the Code of 1873, and to enact a substitute in lieu thereof, in relation to offenses against property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. G. PARKER, *Chairman*.

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 69, a bill for an act to enable townships, incorporated towns, and cities, including cities acting under special charter, to aid in the construction of county bridges in certain cases.

Senate File No. 161, a bill for an act for an appropriation in aid and support of the State University of Iowa.

Senate File No. 143, a bill for an act to amend chapter 110, of the acts of the Thirteenth General Assembly, and chapter 35 of the acts of the Fourteenth General Assembly, and making an additional appropriation for completing the capitol.

Senate File No. 125, a bill for an act to legalize the defective acknowledgments recorded in this State.

T. E. CLARK, *Chairman*.

On motion the bill was ordered considered by sections.

SECTION 1. Senator Johnson moved that the word "one" be stricken from the first line of section 1, and the word "three" inserted, which amendment was agreed to.

Senator Garber proposed as a substitute for the bill under consideration, Senate File No. 108, a bill for an act to regulate the working of highways, which proposed amendment was, by the chair, ruled out of order.

The time for adjournment having arrived the same was extended thirty minutes, on motion of Senator Bills.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 471, a bill for an act to legalize the election of C. R. Quackenbush and E. E. Alverson as trustees in and for the town of Marengo, Iowa.

House File No. 372, a bill for an act to legalize the action of the county superintendent of Lewis county, Iowa, in the transfer of territory from one independent district to another.

House File No. 356, a bill for an act to amend section 824 of the Code, requiring signatures in assessor's book to listed property.

House File No. 472, a bill for an act authorizing the board of school directors of Pacific City, in Mills county, to build a school-house in the city or town park.

Also, joint resolution relating to the publication and distribution of the federal census of 1880 for the State of Iowa.

Senate File No. 332, a bill for an act to legalize the acts of the board of supervisors of Wapello county, Iowa, in levying an extra one-half mill poor fund tax in September, 1881.

Substitute for Senate File No. 40, a bill for an act to resume all the lands and rights conferred upon the Sioux City & St. Paul Railroad Company by or under an act of Congress, approved May 12, A. D. 1864, to lands not heretofore earned by said company.

Senate File No. 46, a bill for an act to repeal section 390 of the Code, and to enact a substitute therefor, in relation to the election of assessors.

Senate File No. 306, a bill for an act to legalize the proceedings of the town council of Manchester, Iowa.

Also, that the House has passed without amendment:

Senate File No. 59, a bill for an act authorizing cities acting under special charters to cause land on which there is stagnant water, to be filled up or drained, and providing for the collection of such expense.

Senate File No. 296, a bill for an act to legalize the organization and official proceedings of the independent district of Castalia, Winneshiek county, Iowa.

Senate File No. 243, a bill for an act to legalize contracts made by school officers for the insurance of school buildings, and to legalize warrants or orders issued therefor.

Senate File No. 261, a bill for an act to legalize the incorporation of the town of Gladbrook, Tama county, Iowa.

E. C. HAYNES, *Clerk.*

Senator Larrabee moved to recommit the bill to the Committee on Highways.

Senator Gillett moved to amend the motion by also referring Senator Garber's resolution, Senate File No. 108, and other bills relating to highways, to said committee, with instruction to report a bill tomorrow morning, which reported bill shall be a special order for the time named.

The amendment was agreed to, and the motion as amended prevailed.

#### INTRODUCTION OF BILL.

Senate File No. 334, a bill for an act to increase the compensation of the Register of the State Land-office and that of his deputy.

Read a first and second time and referred to the Committee on Compensation of Public Officers.

At 12 o'clock and 30 minutes the Senate adjourned.

## AFTERNOON SESSION.

2:30 O'CLOCK P. M.

The Senate convened at 2:30 o'clock P. M., the President in the chair.

Senator Hall moved to take up the special order, it being Senate File No. 65, a bill for an act to regulate the civil practice in the Circuit and District Courts of the State.

Senator Hartshorn moved as an amendment to take up Senate File No. 221, a bill for an act to enforce the collection of taxes provided for in section 2, chapter 71, laws of 1874, on released Agricultural College lands (amendatory to chapter 71, laws of 1874), which motion to amend prevailed, and the motion as amended was agreed to.

Senate File No. 221, with report of the committee proposing a substitute and recommending that the substitute be adopted in lieu thereof and do pass, was taken up and considered.

The substitute was adopted.

Senator Hartshorn moved to amend section 1, line two, by inserting after the word "resumed" the words "and ten years from the date of the original Code has expired." And striking out of line three "at the end of ten years from the date of the original Code."

Which amendment was adopted.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and have been duly enrolled, and signed by the Speaker of the House:

Senate File No. 149, a bill for an act for an appropriation for the State Fish Commission.

Senate File No. 206, a bill for an act making appropriations for the improvement of the Iowa Penitentiary at Ft. Madison.

Senate File No. 318, a bill for an act entitled an act for an appropriation in aid and support of the State Normal School at Cedar Falls.

Senate File No. 249, a bill for an act making appropriation for the Insane at Mt. Pleasant.

R. B. BAIRD, *Assistant Clerk.*

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 249, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant.

Senate File No. 318, a bill for an act entitled an act for an appropriation in aid and support of the State Normal School at Cedar Falls.

Senate File No. 206, a bill for an act making appropriations for the improvement of the Iowa Penitentiary at Ft. Madison.



Senate File No. 149, a bill for an act for an appropriation for the State Fish Commission.

T. E. CLARK, *Chairman*.

Senator Hall moved to amend section 1 in the fifth line thereof by inserting after the word "amount" the words "of consideration"; and also, by inserting the words "to acquire title thereto" after "leave" in line six of said section, which amendments were adopted.

Sections 2, 3, and 4 were adopted without amendment.

Senator Hartshorn moved to amend section 5 in line three after the word "lands" by inserting the words "held under renewed lease," which was adopted.

Senator Hartshorn moved to add another section to the bill as follows:

SECTION 6. Nothing in this act shall be so construed as to authorize the taxation of any leasehold interest under and by virtue of this act for any year prior to 1882.

Which amendment was adopted.

The question being on the engrossment of the bill, Senator Hartshorn moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—45.

The nays were—None.

Absent or not voting:

Senators Arnold, Garber, Hebard, Logan, and Nichols of Benton—5.

So the bill passed, and the title was amended by striking therefrom the words "to enforce the collection of taxes on" and inserting in lieu thereof the words "to provide for taxation of," and as thus amended the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, with amendments as noted in the bill:

Senate File No. 30, a bill for an act to further diminish liability to railroad accidents, and to punish interference with and injury to railroad property.

R. B. BAIRD, *Assistant Clerk*.

The time for the special order having arrived, it being the consideration of Senate Files Nos. 270, 285, 297, and 321, bills for acts to apportion the State of Iowa into eleven congressional districts, with the report of the committee proposing a substitute, and recommending that the substitute be adopted and do pass, was taken up and considered.

Ordered that other special orders shall be arranged for consideration as follows:

1st. Senate File No. 65, a bill for an act to regulate the civil practice in the Circuit and District Courts of the State, to be taken up after the pending bill shall be disposed of.

2d. Senate File No. 224, a bill for an act to provide a minimum tax to be collected of persons engaged in the sale of wine, beer, or alcoholic beverages.

3d. Other special orders to be taken up as arranged on the calendar of March 13, 1882.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bill, which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Senate File No. 69, a bill for an act to enable townships, incorporated towns, and cities, including cities acting under special charters, to aid in the construction of county bridges in certain cases.

A. W. RENSHAW, *Second Assistant Clerk.*

Ordered that the bill be considered by sections.

Sections 1, 2, and 3 were adopted without amendment.

Senator Marshall moved to amend the bill by striking from the fourth section the word "Bremer."

Senator Hemenway offered an amendment to the motion by striking from said section the words "Bremer, Black Hawk, Butler, and Grundy," and inserting the words "Winneshie, Allamakee, Clayton, and Fayette."

On the adoption of which amendment the yeas and nays were demanded. The roll was called.

The yeas were:

Senators Clark of Page, Dashiell, Greenlee, Hall, Hartshorn, Hemenway, Logan, Marshall, Mitchell, Parker, Robinson, Rothert, and Whalley—13.

The nays were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Garber, Gillett, Harmon, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Nichols of Guthrie, Nichols of Muscatine, Nielander, Patriok, Poynèer, Prizer, Russell of Greene, Shrader, Smith, Sudlow, Tirrill, Wilson, and Wright—29.

Absent or not voting:

Senators Arnold, Clark of Wayne, Graves, Hebard, Henderson, Nichols of Benton, Russell of Jones, and Wall—8.

So the motion was lost.

The question recurred upon the motion moved by Senator Marshall, on which question the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Clark of Page, Dashiell, Greenlee, Hall, Hartshorn, Hemenway, Logan, Marshall, Mitchell, Nichols of Guthrie, Parker, and Whalley—12.

The nays were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Garber, Gillett, Harmon, Hunt, Hutchison, Johnson, Kamrar, Keller, Nichols of Muscatine, Nielander, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Shrader, Smith, Sudlow, Tirrill, Wilson, and Wright—29.

Absent or not voting:

Senators Arnold, Clark of Wayne, Graves, Hebard, Henderson, Larabee, Nichols of Benton, Russell of Jones, and Wall—9.

So the motion was lost.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills and joint resolution, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

Substitute for Senate File No. 143, a bill for an act to amend chapter 110 of the acts of the Thirteenth General Assembly, and chapter 35 of the acts of the Fourteenth General Assembly, and making an additional appropriation for completing the capitol.

Senate File No. 125, a bill for an act to legalize defective acknowledgments to written instruments recorded in this State.

Substitute for Senate File No. 161, a bill for an act for an appropriation in aid and support of the State University of Iowa.

A. W. RENSCHAW, *Second Assistant Clerk.*

Sections 4 and 5 were adopted without amendment.

Senator Hall moved that the word "Davis" be stricken from section 7, and the word "Jefferson" inserted in lieu thereof.

The chair ruled the motion out of order, since section 2 of the bill containing "Jefferson" has been adopted by the Senate.

Senator Hall moved a reconsideration of the vote by which section 2 was adopted, which motion was lost.

Senator Greenlee moved to amend section 7 by adding "Marion," the same being stricken from section 8, which was disagreed to.

Sections 7 and 8 were adopted without amendment.

Senator Clark of Page offered an amendment to section 9, by adding "Montgomery," which was not agreed to.

Sections 9 and 10 were adopted without amendment.

Senator Hartshorn moved to strike "Humboldt" from section 11.

On the adoption of the proposed amendment the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Clark of Page, Greenlee, Hall, Hartshorn, Marshall, Mitchell, Nichols of Guthrie, Robinson, and Whaley—9.

The nays were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Garber, Gillett, Harmon, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Nichols of Muscatine, Nielander, Patrick, Poyneer, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Wall, Wilson, and Wright—30.

Absent or not voting:

Senators Arnold, Cotton, Dashiell, Graves, Hebard, Hemenway, Henderson, Logan, Nichols of Benton, Parker, and Tirrill—11.

So the motion was lost.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 145, a bill for an act for the relief of the family of J. W. McKinzie, the "Hero of Kenesaw," and late judge of the Eleventh Judicial District of Iowa.

Also, the House has passed Senate File No. 331, a bill for an act providing for the cancellation of taxes voted to aid in construction of railroads with the following amendment: by striking out the words "one year" in the thirty-fifth line of section 1 and inserting in lieu thereof the words "six months."

A. W. RENSHAW, *Second Assistant Clerk.*

Sections 11, 12, 13, and 14 were adopted without amendment.

On motion the substitute as a whole was adopted.

The question being on the engrossment of the bill, Senator Wright moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Garber, Gillett, Harmon, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Nichols of Muscatine, Nielander, Patrick, Poyneer, Prizer, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Wilson, and Wright—32.

The nays were:

Senators Clark of Page, Dashiell, Greenlee, Hall, Hartshorn, Logan, Marshall, Mitchell, Nichols of Guthrie, Parker, Robinson, and Whaley—12.

Absent or not voting:

Senators Arnold, Clark of Wayne, Graves, Hebard, Nichols of Benton, and Russell of Greene—6.

So the bill passed, and the title was agreed to.

## SIFTING COMMITTEE.

The chair announced a Sifting Committee, consisting of the following named Senators; viz.,

Arnold, Gillett, Harmon, Hartshorn, Larrabee, Mitchell, Nichols of Benton, Russell of Jones, and Wright.

Senator Bills moved that when the Senate adjourn it shall be until 7:30 o'clock this evening.

The motion was lost.

At 6 o'clock the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 14, 1882. }

The Senate convened pursuant to adjournment, President Manning in the chair.

Prayer by Reverend Senator Marshall.

On motion of Senator Graves the reading of the journal was dispensed with.

## SPECIAL ORDER.

The time for the special order having arrived, it being the consideration of Senate File No. 65, a bill for an act to regulate the civil practice in the Circuit and District Courts of the State, the same was taken up.

The question being on the motion moved by Senator Russell of Greene, to strike from section 1 all after the word "court," in the 6th line, the motion was lost.

## REPORTS OF COMMITTEES.

Senator Garber, from the Committee on Highways, to whom on yesterday was referred Senate Files Nos. 108 and 207, bills for an act relative to highways, had the consent of the Senate to report as follows, the time for which report having arrived, as per instruction:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 108, a bill for an act regulating the working of highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that the committee consider that they have not time to perfect the bill, and for the further reason that a part of the committee are radically opposed to the measures of the bill.

M. GARBER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 207, a bill for an act authorizing the election of a commissioner of highways, defining his duties, and those of other township officers, in relation to working the highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason of want of time and conflicting views of the committee.

M. GARBER, *Chairman*.

Ordered passed on file.

Senator Russell, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 233, a bill for an act regulating the herding of stock and providing for damages done thereby, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted in lieu thereof, and do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 404, a bill for an act to legalize the sale and transfer by the St. Paul & Sioux City Railroad Company of its railways in Iowa to the Chicago, Saint Paul, Minneapolis & Omaha Railway Company, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 442, a bill for an act to legalize the levy of certain taxes in Mills county, Iowa, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 222, a bill for an act to provide for the redemption of property under chattel mortgage by the junior mortgagee, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was refer-

red House File No. 414, a bill for an act to legalize the organization and acts of the independent school district of Carl Village, consisting of territory in the county of Adams, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 279, a bill for an act to legalize the acts of J. B. Lamb, a justice of the peace, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 255, a bill for an act to amend section 4362 of the Code, and to enact a section in lieu thereof concerning the right of a defendant to withdraw the plea of guilty, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 278, a bill for an act to amend section 165, of chapter 5, of title 3 of the Code of 1873, requiring judges to give notice of the time for holding probate court, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 451, a bill for an act to legalize the proceedings of the town council of the town of Corning, Adams county, Iowa, held on the 1st day of June 1880, vacating a certain street in said town, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 101, a bill for an act to repeal section 2310 of the Code of 1873, relating to the executing and acknowledgment of instruments of adoption of children, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and

have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted in lieu thereof and do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 265, a bill for an act amending section 3327 of the Code, relating to the satisfaction of mortgages, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 328, a bill for an act to legalize the sale of certain school lands in Allamakee county, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 330, a bill for an act to legalize the sale of certain school lands in Woodbury county, Iowa, to Jane H. Fisher, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 325, a bill for an act to legalize the incorporation of the town of Cascade, Dubuque county, Iowa, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 229, a bill for an act to lessen court costs in the District and Circuit courts by reducing the number of jurors impaneled and providing for the trial of civil cases with nine jurors, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.



Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 169, a bill for an act providing for the appointment of treasury inspectors and prescribing their duties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary beg leave to report the accompanying Senate File No. 339, a bill for an act requiring foreign corporations to file their articles of incorporation with the Secretary of State, and imposing certain conditions upon such corporations transacting business in this State, and have instructed me to report the same to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, beg leave to report the accompany bill for an act to legalize the appointment and acts of guardians of the property of non-resident idiots, lunatics, and persons of unsound mind, and have instructed me to report the same to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 338, a bill for an act to amend section 438, chapter 10, title 4 of the Code, in relation to the abandonment of charters of cities and towns acting under special charters, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman*.

Ordered passed on file.

Senator Nielander, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate File No. 198, a bill for an act regulating the sale and transfer of grain in elevators and other places of storage, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. NIELANDER, *Chairman*.

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 201, a bill for an act to provide for filling vacancies in offices of incorporated towns, beg leave to report that they have had the same under consideration, and have instructed

me to report the same back to the Senate with the recommendation that it do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Senator Marshall, from the Committee on Reform School, submitted the following report:

MR. PRESIDENT—Your Committee on Reform School, to whom was referred House File No. 345, a bill for an act to designate the title of the officer in charge of the Girls' Reform School, beg leave to report that they have had the same under consideration, and unanimously have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. A. MARSHALL, *Chairman*.

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 280, a bill for an act to amend section 781 of the Code in relation to vacancies and special elections, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 142, a bill for an act to repeal an act requiring that officers in certain cities may receive a fixed compensation and that all fees now allowed such officers shall be paid into the treasuries of such cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 172, a bill for an act to provide for the publication of city and town ordinances in book and pamphlet form and for taking effect thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 395, a bill for an act to amend the special charters of cities of the first class to make them compare to the charters of cities incorporated under the general incorporation law of Iowa in relation to the compensation of public officers, beg leave to report that they have had the same under consideration, and have in-

structed me to report the same back to the Senate with the recommendation that it do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 234, a bill for an act to repeal section 457 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 300, a bill for an act to repeal section 518, title 4, chapter 10 of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 301, a bill for an act to repeal section 532, title 4 chapter 10 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Senator Baker, from the Committee on Medicine, Surgery, and Hygiene, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery, and Hygiene, to whom was referred House File No. 265, a bill for an act to amend section 4036 of the Code of 1873, in relation to the adulteration of food, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

BAKER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Medicine, Surgery, and Hygiene, to whom was referred House File No. 306, a bill for an act to prevent and punish the adulteration of articles of food, drink, and medicine, and the sale thereof when adulterated, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

BAKER, *Chairman*.

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to

whom was referred Senate File No. 232, a bill for an act regulating the grades, width, and alignments of streets and alleys of cities of the first class, incorporated under the general incorporation laws, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Senator Baker, from the Committee on Medicine, Surgery, and Hygiene, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery, and Hygiene, to whom was referred House File No. 162, a bill for an act to prevent the manufacture and sale of adulterated food and drugs, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

BAKER, *Chairman*.

Ordered passed on file.

Senator Johnson, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House File No. 80, a bill for an act in relation to mines and miners, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman*.

Ordered passed on file.

Senator Dashiell, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred House File No. 202, a bill for an act to amend section 463 of the Code of 1873, relating to the sale of intoxicating liquors in cities and incorporated towns, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. A. DASHIELL, *Chairman*.

Ordered passed on file.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 330, a bill for an act providing for the taxation of certain property for road purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting after the word "property," in the fourth line of section 1, the words "now subject to taxation," and as thus amended the bill do pass.

LARRABEE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom

was referred House File No. 9, a bill for an act enabling county treasurers to pay outstanding warrants, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Senator Dashiell, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred substitute for House Files Nos. 161 and 166, bills for an act to amend section 8, chapter 75 of the laws of the Eighteenth General Assembly, also for an act to repeal section 1527 and to amend sections 1529 and 1537 of the Code of 1873, relating to the sale of intoxicating liquors, beg leave to report that they have had the same under consideration, and a majority have instructed me to report the same back to the Senate with the recommendation that it do pass.

DASHIELL, *Chairman.*

Ordered passed on file.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 228, a bill for an act to repeal sections 1324, 1325, 1326, 1327, 1328, and 1329 of the Code of Iowa, and to re-enact the same with amendments, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "village," wherever it occurs, and inserting the word "town"; and by inserting the words "or negligently" before the word "fails," in the second line of section 15, and inserting section 16, which reads as follows: "The proprietor of the telegraph is liable for all mistakes in transmitting messages made by any person in his employment, and for all damages resulting from a failure to perform any other duties required by law." And to renumber sections 16, 17, and 18 so as to read 17, 18, and 19, and to attach the publication clause in lieu of section 19; and when so amended that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 322, a bill for an act in relation to the reports of public officers and institutions and to provide for printing and distributing the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows as a substitute for section 1 of the bill:

Amend bill by substituting the following for section 1: The Adjutant-general, the Superintendent of Public Instruction, the State Librarian, the Wardens of the Penitentiaries, the Visiting Committee to the Hospitals for the Insane, the Fish Commissioners, the Superintendent of the Weather Service, the State Board of Health, the Commission of Pharmacy, the State Mine Inspector, all boards or commissions

having charge of the erection of public buildings, the Board of Curators of the State Historical Society, and all boards of trustees of State institutions, except the State Agricultural College, shall on or before the fifteenth day of August preceding the regular sessions of the General Assembly, make to the Governor of the State a report of the condition and need of the offices, institutions, and matters severally intrusted to their care, as well as of all other subjects upon which reports are now by law required of such officers, boards, or commissions, and also a statement showing in detail the expenditure of all public moneys placed or coming into their hands, with each voucher or duplicate voucher for such expenditures except where such voucher or duplicate is required to be furnished some State officer at more frequent intervals; *provided*, that the reports hereby contemplated shall take the place of all the various annual and biennial reports now required to be made by such officers, boards, or commissions except the annual report on insurance.

Amend section 2 by striking out the word "twelve" in line twenty-eight and inserting in lieu thereof the word "fifteen."

LARRABEE, *Chairman*.

Ordered passed on file.

Senator Hartshorn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 207, a bill for an act to enable boards of directors of independent school districts to insure school property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. J. HARTSHORN, *Chairman*.

Ordered passed on file.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House File No. 5, Senate File No. 333, House File No. 352, House File No. 470, Senate File No. 317, substitute for House File 228 et al., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that they be referred as follows:

House File No. 5, to Claims, 3.

Senate File No. 333, to Claims, 1.

House File No. 352, to Claims, 3.

House File No. 470, to Claims, 3.

Substitute for House File No. 228 et al., to Claims, 3.

LARRABEE, *Chairman*.

Ordered passed on file.

Senator Harmon, from the Committee on Normal Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Normal Schools, to whom was referred Senate File No. 19, a bill for an act to establish and maintain a normal school at Garden Grove, Decatur county, Iowa, Senate File No. 54, a bill for an act to establish a normal school at Humboldt, in Humboldt county, and maintain the same; Senate File No. 235, a bill

for an act to establish and maintain a normal school at Red Oak, in Montgomery county, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that they be indefinitely postponed for the reason that a majority of the committee do not deem it advisable to establish additional normal schools at this time. But the committee unanimously endorse the proposition to establish additional normal schools as soon as the financial condition of the State will permit.

HARMON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Normal Schools, to whom was referred Senate File No. 159, a bill for an act to repeal section 5, chapter 129 of the acts of the Sixteenth General Assembly, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

HARMON, *Chairman.*

Ordered passed on file.

Senator Russell, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 323, a bill for an act repealing section 2783, of chapter 9, title 17 of the Code of 1873, and to enact a substitute therefor, in relation to the time to be consumed by attorneys in the argument of cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Senator Hartshorn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 279, a bill for an act to legalize the change of boundary between the independent districts of Mt. Vernon and Harris Grove, township 78, range 43, Harrison county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. J. HARTSHORN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 179, a bill for an act to repeal section 1862, chapter 12, title 12 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. J. HARTSHORN, *Chairman.*

Ordered passed on file.

Senator Brown of Van Buren, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred House File No. 78, a bill for an act to require boards of supervisors to award all contracts to lowest responsible bidders, after advertising for bids, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Strike out all after "contract" in twelfth line of third page, and including the word "amounts" in the fourteenth line, and that when so amended that it do pass.

ALEX. BROWN, *Chairman.*

Ordered passed on file.

Senator Tirrill, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred Senate File No. 266, a bill for an act entitled an act to repeal section 4783, chapter 2, title 26 of the Code, as amended by chapter 200 of the acts of the Eighteenth General Assembly, and to enact a substitute therefor, fixing the compensation of the officers of the Penitentiary, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Strike out of the sixteenth line of said proposed section 4783 the words "eighty-five" and insert in lieu thereof the word "ninety," and when so amended it do pass.

TIRRILL, *Chairman.*

Ordered passed on file.

Senator Russell, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 337, a bill for an act entitled an act to change the terms of court in certain counties in the Eleventh Judicial District, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Senator Tirrill, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred House File No. 434, a bill for an act to repeal chapter 81, laws of the Seventeenth General Assembly, and to enact a substitute therefor, relative to support of convicts in the Additional Penitentiary, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

TIRRILL, *Chairman.*

Ordered passed on file.

Senator Rothert, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was refer-



red Senate File No. 329, a bill for an act to regulate the tariff for passengers in sleeping-cars, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

HENRY W. ROTHEET, *Chairman*.

Ordered passed on file.

Senator Hemenway, from the Committee on State University, submitted the following report:

MR. PRESIDENT—Your Committee on State University, to whom was referred House File No. 298, a bill for an act to provide for the attendance of the children of soldiers and sailors at the State University free of tuition, beg leave to report that they have had the same under consideration, and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it do not pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Senator Tirrill, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred House File No. 154, a bill for an act to repeal section 471½ of the Code of Iowa, relating to the pardoning power, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

TIRRILL, *Chairman*.

Ordered passed on file.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 72, a bill for an act to amend section 3764, of the Code relative to compensation of State Printer.

Also, the House has concurred in Senate amendment to

House File No. 150, a bill for an act to repeal chapter 115, laws of the Eighteenth General Assembly, relating to compensation of sheriffs, and to enact a substitute therefor.

Also, the House has passed without amendment

Senate File No. 45, a bill for an act to repeal section 573 of the Code, and enact a substitute therefor, in relation to the time for holding general election.

Also:

MR. PRESIDENT—I herewith present for your signature the following bills and joint resolutions, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

House File No. 444, a bill for an act to legalize the incorporation of the town of Lucas, Lucas county, Iowa.

House File No. 105, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of West McGregor, Clayton county, Iowa.

House File No. 424, a bill for an act legalizing the action of the board of directors of the independent district of Livermore, in Humboldt county, Iowa.

House File No. 327, a bill for an act making appropriations for the College for the Blind.

Joint resolution requesting our Senators and Representatives in Congress to oppose any increase of duty on steel blooms and wire rods.

House File No. 391, a bill for an act to legalize certain proceedings of the city council of the city of Pella in the county of Marion, Iowa, with regard to the purchase of a public square.

House File No. 457, a bill for an act to legalize the acts of the board of directors of the Union Hall Association of Prairie City, Jasper county, Iowa.

House File No. 387, a bill for an act to legalize the acts of the board of trustees of Bristow, Butler county, Iowa.

House File No. 388, a bill for an act to legalize the incorporation of the town of Hameston.

Also, joint resolution No. 2, constitutional amendments proposing to amend section 1 of article 2 of the Constitution of the State of Iowa.

House File No. 133, a bill for an act to amend section 934 of the Code of 1873.

House File No. 371, a bill for an act to legalize the incorporation of the town of Lacona, Warren county, Iowa, the election of its officers, and the ordinances passed by the council of said town.

House File No. 111, a bill for an act to increase the support fund of the Girls' Department of the Iowa Reform School.

House File No. 342, a bill for an act entitled an act to correct certain conveyances of land made by the State of Iowa under patent to Henry Sido.

House File No. 459, a bill for an act to amend sections 2253 and 2266 of the Code in relation to the appointment and powers of guardians of non-resident idiots, lunatics, and persons of unsound mind.

House File No. 381, a bill for an act to legalize the organization and the acts of the independent district of Omaha, in Pilot township, Iowa county, Iowa.

House File No. 215, a bill for an act to legalize the incorporation, ordinances, and acts of the officers of the incorporated town of Britt, in the county of Hancock.

House File No. 238, a bill for an act making appropriations for the Iowa Agricultural College.

R. D. BAIRD, *Assistant Clerk.*

Consideration of Senate File No. 65 continued.

The question being on the engrossment of the bill, Senator Hemenway moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Clark of Wayne, Hall, Hebard, Hemenway, Henderson, Keller, Mitchell, Nichols of Guthrie,

Nielander, Parker, Prizer, Robinson, Rothert, Smith, Wall, and Wright—20.

The nays were:

Senators Brown of Keokuk, Brown of Van Buren, Clark of Page, Garber, Graves, Greenlee, Harmon, Hartshorn, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, Marshall, Nichols of Muscatine, Patrick, Poyneer, Russell of Greene, Russell of Jones, Sudlow, Tirrill, and Wilson—23.

Absent or not voting:

Senators Baker, Cotton, Dashiell, Gillett, Nichols of Benton, Shrader, and Whaley—7.

So the bill did not pass.

Senate File No. 224, a bill for an act to provide a minimum tax to be collected of persons engaged in the sale of wine, beer, or alcoholic beverages, being a special order fixed for this hour, was taken up and considered.

The question being on the engrossment of the bill, Senator Larrabee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Dashiell, Gillett, Greenlee, Harmon, Hebard, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Sudlow, Tirrill, Whaley, Wilson, and Wright—33.

The nays were:

Senators Bills, Brown of Van Buren, Cotton, Hall, Nielander, Parker, and Rothert—7.

Absent or not voting:

Senators Clark of Page, Clark of Wayne, Garber, Graves, Hartshorn, Henderson, Mitchell, Nichols of Benton, Smith, and Wall—10.

So the bill passed, and the title was agreed to.

Senator Bills had the consent of the Senate to call up for consideration House File No. 244, a bill for an act empowering cities under special charters to establish boards of health.

The question being on the engrossment of the bill, Senator Bills moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Sudlow, Wall, Wilson and Wright—43.

The nays were:

Senator Clark of Wayne—1.

Absent or not voting:

Senators Garber, Henderson, Nichols of Benton, Smith, Tirrill, and Whaley—6.

So the bill passed, and the title was agreed to.

Senator Logan, from the Committee on Representative Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Representative Districts, to whom was referred House File No. 270, a bill for an act apportioning the State into representative districts and declaring the ratio of representation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LOGAN, *Chairman*.

Ordered passed on file.

Senator Russell of Greene had leave to call up for consideration House File No. 415, a bill for an act to authorize incorporated towns and cities to procure and donate to railway companies sites for depots, machine-shops, and other buildings.

The question being on the engrossment of the bill, Senator Russell of Greene moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Boling, Brown of Van Buren, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Prizer, Robinson, Russell of Greene, Russell of Jones, Shrader, Tirrill, Whaley, Wilson, and Wright—31.

The nays were:

Senators Abraham, Bills, Brown of Keokuk, Clark of Wayne, Hunt, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Sudlow, and Wall—13.

Absent or not voting:

Senators Baker, Clark of Page, Cotton, Nichols of Benton, Rothert, and Smith—6.

So the bill passed, and the title was agreed to.

#### INTRODUCTION OF BILL.

Senator Hebard, by consent, introduced Senate File No. 335, a bill for an act making an appropriation to employ an expert oculist for the benefit of the inmates of the College for the Blind.

Read a first and second time.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Substitute for Senate File No. 182, a bill for an act to appropriate funds to furnish buildings and make improvements for the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa.

Senate File No. 319, a bill for an act to appropriate funds to carry on the work at the Additional Penitentiary, at Anamosa.

Senate File No. 299, a bill for an act to amend chapter 83, acts of the Seventeenth General Assembly, amendatory to section 4785 of the Code, in relation to the support of convicts.

R. B. BAIRD, *Assistant Clerk.*

The question being on the engrossment of the bill, Senator Hebard moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Green, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—46.

The nays were—None.

Absent or not voting:

Senators Brown of Van Buren, Hartshorn, Nichols of Benton, and Nielander—4.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House refuses to recede from its amendments to substitute for Senate File No. 192, a bill for an act apportioning the State of Iowa into senatorial districts, and asks for committee of conference on part of the Senate; and has appointed as such committee on part of the House, Messrs. Wolf, Pickler, and Simpson.

A. W. RENSRAW, *Assistant Clerk.*

Senator Hunt, with the consent of the Senate, called up for consideration Senate File No. 77, a bill for an act requiring railroad corporations to fence their roads in improved lands, with the report of the committee proposing a substitute and recommending that it be adopted and do pass.

#### INTRODUCTION OF BILLS.

Senator Arnold, by leave, introduced Senate File No. 336, a bill for an act to furnish the Senate Chamber, House of Representatives, library, post-office, telegraph offices, Lieutenant-governor's office, and Speaker's room of the new capitol.

Read a first and second time and referred to the Committee on Appropriations.

Senator Kamrar, by leave, introduced Senate File No. 337, a bill for

an act entitled an act to change the terms of court in the Eleventh Judicial District.

Read a first and second time and referred to the Committee on Judiciary.

By Senator Wright, by leave, Senate File No. 338, a bill for an act to amend section 438, chapter 10, title 4 of the Code, relating to the abandonment of the charters of cities and towns acting under special charters, providing for the term of office of its officers, and the validity of certain ordinances thereof, after such abandonment.

Read a first and second time and referred to the Committee on Judiciary.

Consideration of Senate File No. 77 was resumed.

Senator Robinson offered an amendment to the substitute by inserting after the word "pastures," in the third line of section 1, the following: "When such cultivated, improved, or pasture lands are inclosed by a fence." Which amendment was adopted.

Senator Robinson proposed to amend the bill by adding to section 1 the following proviso: "Provided that nothing herein contained shall be construed to require the fencing of any portions of a railway until two years after the completion of such portions thereof."

Senator Russell of Greene proposed an amendment to the amendment offered by Senator Robinson, by adding to the same as follows: "Provided further, that the provisions of this act shall not apply to any railroads when the gross earnings are less than \$2,000 per mile per annum."

On motion of Senator Logan the time of adjournment was extended until the bill under consideration shall be disposed of.

The amendment to the pending motion was agreed to, and the motion as amended prevailed.

The substitute as thus amended was adopted.

The question being on the engrossment of the bill, Senator Hunt moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Graves, Greenlee, Hartshorn, Hemenway, Henderson, Hunt, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Wall, and Wilson—39.

The nays were:

Senators Brown of Van Buren, Hall, Harmon, Hutchison, Whaley, and Wright—6.

Absent or not voting:

Senators Arnold, Gillett, Hebard, Nichols of Benton, and Tirrill—5.

So the bill passed, and the title was agreed to.

At 12:30 o'clock the Senate adjourned.

## AFTERNOON SESSION.

2:30 O'CLOCK P. M.

The Senate convened pursuant to adjournment, President Manning in the chair.

## RESOLUTION.

Senator Johnson had the consent of the Senate to offer the following resolution:

*Resolved*, That the Attorney-general be and is hereby requested to give his opinion in writing upon the question as to whether a county is entitled to a representative in the General Assembly under the provision of the Constitution of the State, when such county has a number of inhabitants less than one-half of the ratio fixed by law, each of the counties adjoining such county having a number of inhabitants equal to one-half of the ratio fixed by law.

Senator Hunt proposed the following amendment:

"And further, if a county having the required number equal one-half of the ratio could be attached to a county not having the required number without a violation of the Constitution."

The amendment was accepted, and the resolution as amended was adopted.

## INTRODUCTION OF BILL.

Senator Harmon had leave to introduce Senate File No. 341, a bill for an act relating to the control and lease of grounds belonging to the State Normal School.

Read a first and second time and ordered placed on file among bills in the first class.

Senator Russell, by leave, called up House File No. 4, a bill for an act requiring judges of the Supreme Court to prepare the head-notes of opinions for the purpose of having the same referred to the Judiciary Committee, which reference was ordered.

## BILLS ON SECOND READING.

Senator Kamrar, by leave, called up for consideration Senate File No. 337, with report of the committee proposing a substitute, and recommending that it be adopted and do pass, the bill being a bill for an act to change the terms of court in certain counties of the Eleventh Judicial District.

The question being on the engrossment of the bill, Senator Kamrar moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Garber, Gillett, Greenlee, Har-

mon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Nielander, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—40.

The nays were—None.

Absent or not voting:

Senators Brown of Van Buren, Dashiell, Graves, Hall, Hebard, Johnson, Nichols of Benton, Nichols of Guthrie, Parker, and Russell of Greene—10.

So the bill passed, and the title was agreed to.

#### MEMORIAL.

Senator Shrader, by leave, presented a memorial relative to the life and services of the late Major-General Benjamin S. Roberts.

Referred to the Committee on Military.

Senate File No. 266, a bill for an act to repeal section 4783, chapter 2, title 26 of the Code, and amended by chapter 200 of the acts of the Eighteenth General Assembly, and to enact a substitute therefor, fixing the compensation of the officers of the Penitentiary, with the report of the committee recommending amendments, and that the bill do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Rothert moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Boling, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Harmon, Hemenway, Henderson, Hunt, Hutchison, Nichols of Benton, Nichols of Guthrie, Parker, Patrick, Poyneer, Prizer, Rothert, Russell of Jones, Shrader, Smith, Tirrill, Wilson, and Wright—27.

The nays were:

Senators Abraham, Bills, Brown of Keokuk, Clark of Wayne, Greenlee, Hartshorn, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Muscatine, Nielander, and Wall—14.

Absent or not voting.

Senators Baker, Hall, Hebard, Johnson, Larrabee, Robinson, Russell of Greene, Sudlow, and Whaley—9.

So the bill passed, and the title was agreed to.

#### REPORT OF SIFTING COMMITTEE.

Senator Russell of Jones, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Sifting Committee, to whom was referred all bills, beg leave to report the following schedule, with the recommendation that the bills be taken up in the order indicated, and five Senators objecting, the order of business shall not be interrupted.

JOHN RUSSELL, *Chairman.*

Ordered passed on file.



Senator Marshall moved that the order prescribed by the committee shall not be departed from except by order of two-third vote, which motion was agreed to.

The report of the Sifting Committee as amended was adopted.

#### CONFERENCE COMMITTEE.

Senator Hartshorn moved that a Committee of Conference be appointed on the disagreement between the two houses on Senate File No. 192, a bill for an act apportioning the State of Iowa into senatorial districts.

Which motion prevailed.

The chair announced such committee as follows; viz., Senators Johnson, Robinson, and Wright.

Ordered that bills be taken up in the order arranged by the Sifting Committee.

#### SECOND READING OF BILLS.

House File No. 145, a bill for an act for the relief of the family of J. W. McKinzie, the "Hero of Kenesaw," and late judge of the Eleventh Judicial District of Iowa, was taken up and read a first and second time.

The question being on the engrossment of the bill, Senator Clark of Page moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—46.

The nays were—None.

Absent or not voting:

Senators Clark of Wayne, Dashiell, Hebard, and Henderson—4.

So the bill passed, and the title was agreed to.

Senate File No. 331, a bill for an act providing for the cancellation of taxes voted to aid in the construction of railroads, was taken up and considered, with the amendment proposed by the House.

The question being, shall the Senate concur in the House amendment? the roll was called.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Rus-

sell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, and Wilson—45.

The nays were—None.

Absent or not voting:

Senators Boling, Hebard, Hutchison, Wall, and Wright—5.

So the Senate concurred.

House File No. 466, a bill for an act to legalize the organization and acts of the Humboldt College Association, was taken up for consideration.

The question being on the engrossment of the bill, Senator Hartshorn moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—47.

The nays were—None.

Absent or not voting:

Senators Boling, Hebard, and Wilson—3.

So the bill passed, and the title was agreed to.

Senate File No. 322, a bill for an act in relation to the reports of public officers and institutions, and to provide for printing and distributing public documents, with the report of the committee proposing amendments to sections 1 and 2 of the bill, which amendments are indicated therein, was taken up and considered.

The amendments were adopted as recommended by the committee.

The question being on the engrossment of the bill, Senator Hemenway moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Graves, Greenlee, Hall, Harmon, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Sudlow, Tirrill, Whaley, Wilson, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Gillett, Hartshorn, Hebard, Keller, Smith, and Wall—6.

So the bill passed, and the title was agreed to.

Senate File No. 338, a bill for an act to amend section 438, chapter

10, title 4 of the Code, in relation to the abandonment of charters of cities and towns acting under special charters, etc., with report of the committee recommending that the bill do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Wright moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass.

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Sudlow, Tirrill, Whaley, Wilson, and Wright—42.

The nays were—None.

Absent or not voting:

Senators Baker, Clark of Wayne, Cotton, Greenlee, Hebard, Hunt, Smith, and Wall—8.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 461, a bill for an act to abate club rooms.

Substitute for House Files Nos. 420, 422, and 437, a bill for an act to divide the State into eleven congressional districts.

House File No. 475, a bill for an act in relation to the compensation of certain members of the Nineteenth General Assembly.

Also, the House concurs in Senate concurrent resolution in relation to the preparation of a syllabus of the laws of the Nineteenth General Assembly.

A. W. RENSHAW, *Assistant Clerk.*

Substitute for Senate File No. 30, a bill for an act to further diminish liability to railroad accidents and to punish interference with and injury to railroad property, with the House amendment thereto was taken up and considered.

The question being, shall the Senate concur in the House amendment to the bill? the roll was called.

Leave of absence was asked for Senator Cotton for the day.

Leave was granted.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, Marshall,

Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wilson—45.

The nays were:

Senator Keller—1.

Absent or not voting:

Senators Greenlee, Hall, Hebard, and Wright—4.

So the Senate concurred.

House File No. 9, a bill for an act enabling county treasurers to pay outstanding warrants, with the report of the committee recommending that the bill do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Shrader, Smith, Sudlow, Wall, Whaley, Wilson, and Wright—44.

The nays were:

Senator Logan—1.

Absent or not voting:

Senators Hebard, Hemenway, Nichols of Guthrie, Russell of Jones, and Tirrill—5.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House refuses to recede from its amendments to substitute for Senate File No. 192, a bill for an act apportioning the State of Iowa into senatorial districts and asks for Committee of Conference on part of the Senate, and has appointed as such committee on part of the House, Messrs. Wolf, Pickler, and Simpson.

A. W. RENSHAW, *Second Assistant Clerk.*

House File No. 136, a bill for an act amending section 1324 of the Code in relation to telegraphs, with report of the committee recommending that the bill do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk,

Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Greenlee, Graves, Hall, Harmon, Hartshorn, Hunt, Hutchison, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Hebard, Hemenway, Henderson, Johnson, Nichols of Benton, Nichols of Guthrie, and Rotherth—7.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

Senate File No. 261, a bill for an act to legalize the incorporation of the town of Gladbrook, Tama county, Iowa, and the acts of the officers done under the same.

Senate File No. 332, a bill for an act to legalize the acts of the board of supervisors of Wapello county, Iowa, in levying an extra half mill poor fund tax in September, 1881.

House File No. 150, a bill for an act to repeal chapter 115, laws of the Eighteenth General Assembly, relating to compensation of sheriffs, and to enact a substitute therefor.

Substitute for Senate File No. 40, a bill for an act to resume all the lands and rights conferred upon the Sioux City & St. Paul R. R. Co. by or under an act of Congress, approved May 12, A. D. 1864, to lands not heretofore earned by said company.

Senate File No. 59, a bill for an act authorizing cities acting under special charters to cause land on which there is stagnant water, to be filled up or drained, and providing for the collection of such expense.

Senate File No. 306, a bill for an act to legalize the proceedings of the town council of the incorporated town of Manchester, Delaware county, Iowa, in relation to allowing and paying claims.

House File No. 465, a bill for an act to legalize the organization of Lime Rock and Rima independent school districts, in Bremer county, Iowa.

Senate File No. 320, a bill for an act for appropriations for the Boys' Reform School.

Senate File No. 296, a bill for an act to legalize the organization and official proceedings of the independent district of Castalia, Winneshiek county, Iowa.

Senate File No. 152, a bill for an act to legalize certain proceedings, orders, and judgments of the District and Circuit courts of the Fifth Judicial District of Iowa.

Senate File No. 129, a bill for an act granting additional powers to cities organized under the general incorporation laws of the State.

Substitute for Senate File No. 187, a bill for an act making appropriations for the Girls' Reform School.

R. B. BAIRD, *Assistant Clerk.*

## REPORT OF COMMITTEE.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have presented the following bill to the Governor for his approval:

House File No. 299, a bill for an act to amend chapter 83 of the acts of the Seventeenth General Assembly, amendatory of section 4785 of the Code, in relation to the support of convicts.

Substitute for Senate File No. 182, a bill for an act to appropriate funds to furnish buildings and make improvements for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa.

T. E. CLARK, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 129, a bill for an act granting additional powers to cities organized under the general incorporation laws of the State.

Senate File No. 320, a bill for an act making appropriations for the Boys' Reform School at Eldora.

Senate File No. 261, a bill for an act to legalize the incorporation of the town of Gladbrook, in Tama county, Iowa, and the acts of the officers done under the same.

Senate File No. 59, a bill for an act authorizing cities acting under special charters to cause land on which there is stagnant water to be filled up or drained, and providing for the collection of such expense.

T. E. CLARK, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Substitute for Senate File No. 187, a bill for an act making appropriations for the Girls' Reform School.

Senate File No. 332, a bill for an act to legalize the acts of the board of Supervisors of Wapello county, Iowa, in levying an extra one-half mill poor fund tax in September, 1881.

Senate File No. 152, a bill for an act to legalize certain proceedings, orders, and judgments of the District and Circuit Courts of the Fifth Judicial District of Iowa.

Senate File No. 306, a bill for an act to legalize the proceedings of the town council of the town of Manchester, Delaware county, Iowa, in relation to allowing and paying claims.

T. E. CLARK, *Chairman*.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report they have examined Senate File No. 306, a bill for an act to legalize the proceedings of the town council of the incorporated town of Manchester, Delaware county, Iowa, in relation to allowing and paying claims.

Senate File No. 13, a bill for an act to legalize ordinance No. 80,

passed by the town council of the town of Manchester, in Delaware county, in relation to purchasing a building for town purposes, and providing for the issuing of bonds in payment thereof.

Senate File No. 45, a bill for an act to repeal section 573 of the Code, and enact a substitute therefor in relation to the time for holding general election.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 465, a bill for an act to legalize the organization of Lime Rock and Rima independent school districts in Bremer county, Iowa.

House File No. 150, a bill for an act to repeal chapter 115, laws of the Eighteenth General Assembly, relating to compensation of sheriffs, and to enact a substitute in lieu thereof.

House File No. 46, a bill for an act to repeal section 390 of the Code, chapter 6 of the laws of the Sixteenth General Assembly, chapter 201 of the laws of the Eighteenth General Assembly, and to enact a substitute therefor, in relation to the election of assessors.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 194, a bill for an act making appropriations for the institution for the Deaf and Dumb, at Council Bluffs, Iowa.

Senate File No. 243, a bill for an act to legalize contracts made by school officers for the insurance of school buildings and to legalize warrants or orders issued therefor.

Senate File No. 174, a bill for an act to provide for the levy of one-mill State tax for the years 1882 and 1883, to reimburse the general revenue fund of the State for money paid on account of war debts, and for the completion of the new capitol, and other purposes.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined Senate File No. 331, a bill for an act providing for the cancellation of taxes voted to aid in the construction of railroads.

Senate File No. 259, a bill for an act to legalize the sale of certain school lands in Monona county, Iowa.

Senate File No. 193, a bill for an act to amend section 1, chapter 203, laws of the Eighteenth General Assembly, relating to the Institution for the Deaf and Dumb.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully

report that they have this day presented to the Governor for his approval:

Senate File No. 319, a bill for an act to appropriate funds to carry on the work at the Additional Penitentiary at Anamosa.

Senate File No. 296, a bill for an act to legalize the organization and official proceedings of the independent district of Castalia, in Winneshek county, Iowa.

Substitute for Senate File No. 40, a bill for an act to resume all the lands and rights conferred upon the Sioux City & St. Paul Railroad Company by or under an act of Congress approved May 12, A. D. 1864, to lands not heretofore earned by said company.

T. E. CLARK, *Chairman.*

House File No. 458, a bill for an act authorizing the board of supervisors of Hardin county, Iowa, to establish a road through certain lands belonging to the State, was taken up and considered.

The question being on the engrossment of the bill, Senator Kamrar moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Kamrar, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Sudlow, Tirrill, Wall, Whaley, and Wilson—39.

The nays were—None.

Absent or not voting:

Senators Arnold, Boling, Hebard, Hunt, Hutchison, Johnson, Keller, Nichols of Guthrie, Russell of Greene, Smith, and Wright—11.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and have been duly enrolled, and signed by the Speaker of the House:

Senate File No. 45, a bill for an act to repeal section 573 of the Code, and enact a substitute therefor in relation to the time for holding general elections:

Senate File No. 13, a bill for an act to legalize ordinance Nq. 80, passed by the town council of the town of Manchester, in Delaware county, Iowa, in relation to purchasing a building for town purposes and providing for the issuing of bonds in payment thereof.

R. B. BAIRD, *Assistant Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:



House File No. 425, a bill for an act to enable the Register of the State Land-office to procure diagrams showing the limits of the various land grants in the State of Iowa.

Substitute for House File No. 443, a bill for an act to submit to a vote of the people the proposed amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquors as a beverage within the State.

Also, without amendment, Senate File No. 326, a bill for an act to amend section 1, chapter 194, laws of the Eighteenth General Assembly, entitled an act making appropriations for the Iowa State Library.

Also, Senate File No. 188, a bill for an act to amend section 1675, and to repeal section 1676, and enact a substitute therefor.

A. W. RENSHAW, *Second Assistant Clerk.*

#### REPORTS OF COMMITTEES.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

House File No. 215, a bill for an act to legalize the incorporation, ordinances, and acts of the officers of the incorporated town of Britt, in the county of Hancock.

House File No. 111, a bill for an act to increase the support fund of the Girls' Department of the Iowa Reform School.

Joint resolution to amend section 1, of article 2 of the Constitution of the State of Iowa.

House File No. 371, a bill for an act to legalize the incorporation of the town of Lacona, Warren county, Iowa, the election of its officers, and the ordinances passed by the council of said town.

House File No. 457, a bill for an act to legalize the acts of the board of directors of the Union Hall Association of Prairie City, Jasper county, Iowa.

House File No. 327, a bill for an act making appropriations for the College for the Blind.

House File No. 238, a bill for an act making appropriation for the Iowa Agricultural College.

House File No. 381, a bill for an act to legalize the organization and acts of the independent district of Omaha, in Pilot township, Iowa county, Iowa.

House File No. 133, a bill for an act to amend section 934 of the Code of 1873.

House File No. 424, a bill for an act legalizing the actions of the independent district of Livermore, in Humboldt county, Iowa.

House File No. 444, a bill for an act to legalize the incorporation of the township of Lucas, Lucas county, Iowa.

Joint resolution requesting our Senators and Representatives in Congress to oppose any increase of duty on steel blooms and wire rods.

House File No. 387, a bill for an act to legalize the acts of the board of trustees of Burton, Butler county, Iowa.

House File No. 391, a bill for an act to legalize certain proceedings

of the city council of the city of Pella, in the county of Marion, and State of Iowa, in regard to the purchase of a public square.

Senate File No. 320, a bill for an act making appropriations for the Boys' Reform School at Eldora.

Senate File No. 332, a bill for an act to legalize the acts of the board of supervisors of Wapello county, Iowa, in levying an extra one-half mill poor fund tax in September, 1881.

Senate File No. 152, a bill for an act to legalize certain orders and judgments of the District and Circuit Courts of the Fifth Judicial District of Iowa.

Senate File No. 59, a bill for an act authorizing cities acting under special charters to cause land on which there is stagnant water to be filled up or drained, and providing for the collection of such expense.

Senate File No. 187, a bill for an act making appropriations for the Girls' Reform School.

Senate File No. 129, a bill for an act granting additional powers to cities organized under the general incorporation laws of the State.

Senate File No. 236, a bill for an act to legalize the organization and official proceedings of the independent district of Castalia, Winnebago county, Iowa.

Substitute for Senate File No. 40, a bill for an act to resume all the lands and rights conferred upon the Sioux City & St. Paul Railroad Company by or under an act of Congress, approved May 12, A. D. 1864, to lands not heretofore earned by said company.

House File No. 105, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of West McGregor, Clayton county, Iowa.

House File No. 459, a bill for an act to amend section 2266 of the Code, in relation to the appointment and powers of guardians of non-resident idiots, lunatics, and persons of unsound minds.

House File No. 342, a bill for an act to correct certain conveyances of lands made by the State of Iowa under patent to Henry Sido.

House File No. 388, a bill for an act to legalize the incorporation of the town of Humeston.

And find the same correctly enrolled.

T. E. CLARK, *Chairman.*

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House Files Nos. 69, 70, 92, 134, 182, 218, 239, 240, and 268, a bill for an act to repeal sections 1728 and 1729 of the Code, and enact substitutes therefor.

Also, House File No. 469, a bill for an act to legalize the incorporation and the official proceedings of the town of Moravia, in the county of Appanoose, State of Iowa.

A. W. RENSHAW, *Second Assistant Clerk.*

House File No. 306, a bill for an act to prevent and punish the adul-

teration of articles of food, drink, and medicine, and the sale thereof when adulterated, with the report of the committee returning the bill without recommendation, was taken up for consideration.

Ordered that the bill be considered by sections.

The bill was considered by sections, and several sections were amended.

Senator Bills moved that when the Senate adjourn it shall be until half past seven o'clock this evening, which motion prevailed.

Senator Dashiell offered a substitute for the bill, which was not accepted.

#### RESOLUTIONS.

By consent, Senator Arnold offered the following resolution:

*Resolved by the Senate, the House concurring,* That both branches of the General Assembly will meet in joint convention on Wednesday evening, the 15th inst., at 7 o'clock P. M., to elect trustees of the various State institutions, and regents of the State University.

Also, the following:

*Resolved by the Senate, the House concurring,* That the post-mistresses of this General Assembly are hereby instructed to remain on duty for five days after the adjournment of said General Assembly for the purpose of forwarding mail of the respective members, as they shall direct.

The foregoing resolutions were adopted.

Senator Hall offered a substitute for the bill under consideration, which substitute was adopted.

At 6 o'clock the Senate adjourned.

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#### EVENING SESSION.

7:30 O'CLOCK P. M.

On motion, the vote by which Senator Hall's substitute was adopted was reconsidered.

Ordered that the further consideration of the bill be postponed until to-morrow morning.

#### SECOND READING OF BILLS.

Senate File No. 330, a bill for an act providing for the taxation of certain property for road purposes, with report of committee recommending amendment by inserting after the word "property," in the first line of section 1, the words "now subject to taxation," and thus amended that the bill do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Mitchell moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Garber, Gillett, Graves, Greenlee, Harmon, Hemenway, Hunt, Hutchison, Kamrar, Keller, Logan, Mitchell, Nichols of Muscatine, Nielander, Patrick, Poyneer, Prizer, Robinson, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Wall, Whaley, and Wright—32.

The nays were:

Senators Abraham, Marshall, and Tirrill—3.

Absent or not voting:

Senators Arnold, Clark of Page, Cotton, Dashiell, Hall, Hartshorn, Hebard, Henderson, Johnson, Larrabee, Nichols of Benton, Nichols of Guthrie, Parker, Rothert, and Wilson—15.

So the bill passed, and the title was agreed to.

House File No. 471, a bill for an act to legalize the election of C. R. Quackenbush and E. E. Alverson as trustees in and for the town of Marengo, Iowa, was taken up and considered.

The question being on the engrossment of the bill, Senator Patrick moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Muscatine, Nielander, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—39.

The nays were—None.

Absent or not voting.

Senators Arnold, Clark of Page, Cotton, Hall, Hebard, Henderson, Johnson, Larrabee, Nichols of Benton, Nichols of Guthrie, and Parker—13.

So the bill passed, and the title was agreed to.

Senate File No. 101, a bill for an act to repeal section 2310 of the Code of 1873, relating to the execution and acknowledgment of instruments of adoption of children, and to enact a substitute therefor, with the report of the committee proposing a substitute, and recommending it be adopted and do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Kamrar moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols

of Muscatine, Nielander, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—41.

The nays were—None:

Absent or not voting:

Senators Arnold, Clark of Wayne, Cotton, Hebard, Henderson, Larrabee, Nichols of Guthrie, Parker, and Wilson—9.

So the bill passed, and the title was agreed to.

House File No. 451, a bill for an act to legalize the proceedings of the town council of the town of Corning, Adams county, Iowa, held on the first day of June, 1880, vacating a certain street in said town, with report of the committee recommending that it do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Brown of Keokuk moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Arnold, Cotton, Hebard, Henderson, Larrabee, Nichols of Guthrie, and Wilson—7.

So the bill passed, and the title was agreed to.

Senate File No. 339, a bill for an act requiring foreign corporations to file their articles of incorporation with the Secretary of State and imposing certain conditions upon such corporations transacting business in the State, with report of the Judiciary Committee recommending it do pass.

The bill was read a first and second time, and on motion considered now.

The question being on the engrossment of the bill, Senator Russell of Greene moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Gillett, Greenlee, Hall, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Keller, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Greene, Russell of Jones, Shrader, Sudlow, Wall, and Whaley—34.

The nays were:

Senators Graves, Harmon, Nielander, Rothert, Tirrill, Wilson, and Wright—7.

Absent or not voting:

Senators Arnold, Baker, Cotton, Hebard, Henderson, Kamrar, Larrabee, Logan, Nichols of Guthrie, and Smith—10.

So the bill passed, and the title was agreed to.

Senate File No. 304, a bill for an act to provide for the publication and distribution of the proceedings of the Iowa State Medical Society, with the report of the committee recommending that it be amended by adding to the last section of the bill the words "and shall not exceed three hundred pages in number," was taken up for consideration.

The report of the committee was adopted.

The question being on the engrossment of the bill, Senator Shrader moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Clark of Page, Dashiell, Garber, Gillett, Graves, Harmon, Hartshorn, Hemenway, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Robinson, Rothert, Shrader, Sudlow, Tirrill, Whaley, Wilson, and Wright—29.

The nays were:

Senators Brown of Van Buren and Poyneer—2.

Absent or not voting:

Senators Arnold, Brown of Keokuk, Clark of Wayne, Cotton, Greenlee, Hall, Hebard, Henderson, Hunt, Hutchison, Johnson, Larrabee, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, Russell of Jones, Smith, and Wall—19.

So the bill passed and the title was agreed to.

Senate File No. 244, a bill for an act in relation to taxation of telephones, with report of committee recommending that it do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Whaley moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Garber, Graves, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Greene, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—38.

The nays were—None.

Absent or not voting:

Senators Arnold, Clark of Wayne, Cotton, Gillett, Greenlee, Hall, Hebard, Henderson, Larrabee, Nichols of Guthrie, Prizer, and Russell of Jones—12.

So the bill passed, and the title was amended by adding thereto the words "relating to road notices," and as thus amended the title was agreed to.

House File No. 57, a bill for an act to create a State Educational Board of Examiners, and to encourage training in the science and art of teaching, with the report of the committee recommending that the bill do pass, was taken up and considered.

Senator Robinson moved to strike section 8 from the bill.

The question pending, Senator Hartshorn moved that the further consideration of the bill be postponed until to-morrow morning, which motion prevailed.

Senate File No. 294, a bill for an act to legalize the incorporation and change of name of the town of Menlo, in Guthrie county, Iowa, with the report of the committee recommending it do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Wilson moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patriok, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—42.

The nays were—None.

Absent or not voting:

Senators Arnold, Cotton, Hall, Hebard, Henderson, Larrabee, Nichols of Guthrie, and Russell of Greene—8.

So the bill passed, and the title was agreed to.

House File No. 83, a bill for an act to amend section 936 of the Code of 1873, with the report of the committee recommending that the bill do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Garber moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, and Wright—39.

The nays were:

Senator Wilson—1.

Absent or not voting:

Senators Arnold, Bills, Cotton, Hebard, Henderson, Larrabee, Logan, Nichols of Guthrie, Robinson, and Wall—10.

So the bill passed and the title was agreed to.

Senator Rothert obtained the consent of the Senate to call up for consideration Senate File No. 220, a bill for an act giving to certain cities all bridge taxes levied by county authority, and collected on property within the limits of such cities, and providing for the expenditure of the same.

The question being on the engrossment of the bill, on motion of Senator Rothert the rule was suspended and the bill read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Greenlee, Harmon, Hutchison, Johnson, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nielander, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Wilson, and Wright—34.

The nays were:

Senator Nichols of Muscatine—1.

Absent or not voting:

Senators Arnold, Cotton, Gillett, Graves, Hall, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Larrabee, Nichols of Guthrie, Parker, and Whaley—15.

So the bill passed, and the title was agreed to.

House, File No. 328, a bill for an act to legalize the sale of certain school lands in Allamakee county, with the report of the committee recommending that it do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Nielander moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Hutchison, Johnson, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—41.

The nays were—None.

Absent or not voting:

Senators Arnold, Cotton, Hall, Hebard, Hunt, Larrabee, Nichols of Guthrie, Prizer, and Russell of Jones—9.

So the bill passed, and the title was agreed to.

House File No. 320, a bill for an act to legalize the sale of certain school lands in Woodbury county, Iowa, to Jane H. Fisher.

The question being on the engrossment of the bill, on motion of Senator Garber, the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Garber, Gillett,



Graves, Greenlee, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Logan, Marshall, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—39.

The nays were—None.

Absent or not voting:

Senators Arnold, Cotton, Dashiell, Hall, Hebard, Henderson, Larrabee, Mitchell, Nichols of Guthrie, Prizer, and Russell of Greene—11.  
So the bill passed, and the title was agreed to.

Senate File No. 201, a bill for an act making an appropriation to pay a debt of \$500, heretofore authorized by the Executive Council, on motion was indefinitely postponed.

Senate File No. 263, a bill for act to prevent accidents at railroad crossings, with the report of the committee recommending amendment by striking out the words "and in plain sight of the same" of section 13; also, by adding to section 1 the following words: "and no such train shall be allowed to stop or stand on any such crossing or intersections"; also, by inserting after the word "engineer" in section 2 the words "willfully or negligently," and that when so amended it do pass, was taken up for consideration.

The question being on the engrossment of the bill, Senator Brown of Van Buren moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Wall, Whaley, Wilson, and Wright—38.

The nays were:

Senator Nichols of Benton—1.

Absent or not voting:

Senators Abraham, Arnold, Cotton, Dashiell, Hall, Hebard, Henderson, Larrabee, Nichols of Guthrie, Prizer, and Tirrill—11.

So the bill passed, and the title was agreed to.

Senate File No. 287, a bill for an act to include all the territory of an incorporated town within the independent school district or districts now existing or hereafter to be formed, was taken up and considered.

The question being on the engrossment of the bill, Senator Clark of Page moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hemenway, Hutchison, Johnson,

Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Patrick, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—38.

The nays were:

Senators Greenlee, and Parker—2.

Absent or not voting:

Senators Arnold, Cotton, Hebard, Henderson, Hunt, Larrabee, Nichols of Guthrie, Poyneer, Prizer, and Wall—10.

So the bill passed, and the title was agreed to.

House File No. 325, a bill for an act to legalize the incorporation of the town of Cascade, Dubuque county, Iowa, was taken up and considered.

The question being on the engrossment of the bill, on motion of Senator Graves the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Patrick, Parker, Poyneer, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—40.

The nays were—None.

Absent or not voting:

Senators Arnold, Clark of Wayne, Cotton, Hebard, Henderson, Larrabee, Nichols of Guthrie, Prizer, Robinson, and Rothert—10.

So the bill passed, and the title was agreed to.

At 10:15 o'clock the Senate adjourned.

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SENATE CHAMBER.  
DES MOINES, IOWA, March 15, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Reverend Joseph Manning.

The reading of the journal of yesterday was, on motion, dispensed with.

#### INTRODUCTION OF BILL.

By Senator Poyneer, Senate File No. 342, a bill for an act changing the name of the Iowa State Agricultural College to Iowa State College of Agriculture and Mechanic Arts.

Read a first and second time and, on motion, considered.

The question being on the engrossment of the bill, Senator Poyneer moved that the rule be suspended, and the bill be considered engrossed,

and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Garber, Gillett, Graves, Greenlee, Harmon, Hebard, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Patrick, Poyneer, Prizer, Russell of Greene, Russell of Jones, Shrader, Sudlow, Tirrill, Wall, Whaley, and Wright—38.

The nays were—None.

Absent or not voting:

Senators Abraham, Arnold, Clark of Page, Dashiell, Hall, Hartshorn, Henderson, Parker, Robinson, Rothert, Smith, and Wilson—12.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 476, a bill for an act to legalize the purchase of certain real estate by the independent district of Winterset.

Also that the House has adopted the report of the Conference Committee on Senate File No. 192, a bill for an act apportioning the State of Iowa into senatorial districts.

E. C. HAYNES, *Clerk*.

#### REPORTS OF COMMITTEE.

Senator Russell of Jones, from the Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Sifting Bills beg leave to report that they have considered bills on the files of the Senate, and have instructed me to report the accompanying schedule of bills to be considered in the order therein indicated as those of the first class, and the committee ask time to make additional reports.

JOHN RUSSELL, *Chairman*.

Ordered passed on file.

Substitute for House File (congressional district) No. 420.

Senatorial district bill, Senate File No. 192.

Special elections, House File No. 443.

Representative districts, House File No. 270.

House Files Nos. 57, 475, 472, 201, 172, 202, joint resolutions, House Files No. 414, 442.

Substitute for Senate Files Nos. 70 and 90.

House File No. 139.

Senate File No. 256.

House File No. 372.

Substitute for Senate File No. 275.

House Files Nos. 404, 279, and 110.

Senate File No. 328.

House File No. 434.

Senate Files Nos. 333 and 243.

House Files Nos. 159 and 306.

Senator Nichols of Benton moved a reconsideration of the vote by which Senate File No. 339, a bill for an act in relation to foreign corporations, passed the Senate on yesterday.

The motion to reconsider was, on motion, laid on the table.

#### RESOLUTIONS.

Senator Wall offered the following concurrent resolution:

WHEREAS, The national banks are in jeopardy because of the early expiration of most of their charters, and because of the large income of the general treasury, which makes payment of the bonds necessary; and,

WHEREAS, The Congress are now considering a bill to refund and perpetuate a portion of the public debt and many other bills to reduce the income of the government and thus make further payment of the debt impossible or insignificant; therefore,

*Be it resolved by the General Assembly of the State of Iowa*, That our Senators be instructed, and our representatives be requested to use their utmost influence:

1. To prevent the passage of any bill allowing the banks to renew their charters or perpetuate their existence as banks of issue.

2. To secure the issue by the general government of legal tender treasury notes or United States money to take the place of all corporation money as fast as such money is withdrawn and thus protect our industries and business from periodic expansions and contractions of the currency.

3. To prevent the reduction of the revenues of the government until every bond is paid, and to press the passage of a graduated income tax law and to insist upon the speedy payment of the entire interest bearing debt.

Senator Russell of Greene moved that the resolution be referred to the Committee on Ways and Means.

On which question the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Arnold, Bills, Boling, Brown of Keokuk, Clark of Page, Cotton, Garber, Gillett, Graves, Harmon, Hartshorn, Hebard, Hemenway, Hunt, Johnson, Kamrar, Keller, Logan, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Patrick, Poyneer, Prizer, Robinson, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, and Tirrill—32.

The nays were:

Senators Brown of Van Buren, Clark of Wayne, Greenlee, Hall, Hutchison, Larrabee, Parker, Wall, Whaley, Wilson, and Wright—11.

Absent or not voting:

Senators Abraham, Baker, Dasbiell, Marshall, Mitchell, and Rothert—6.

So the resolution was referred to the Ways and Means Committee.

Senator Larrabee moved that the Senate follow the order of business indicated in the report of the Sifting Committee, which prevailed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Senate File No. 243, a bill for an act to legalize contracts made by school officers for the insurance of school buildings, and to legalize warrants or orders issued therefor.

Substitute for Senate File No. 194, a bill for an act making appropriations for the Deaf and Dumb at Council Bluffs, Iowa.

Senate File No. 46, a bill for an act to repeal section 390 of the Code, chapter 6 of the laws of the Sixteenth General Assembly, and to enact a substitute therefor.

Senate File No. 331, a bill for an act providing for the cancellation of taxes to aid in the construction of railroads.

Senate File No. 193, a bill for an act to amend section 203, laws of the Eighteenth General Assembly, relating to the Institution for the Deaf and Dumb.

Senate File No. 259, a bill for an act to legalize the sale of certain school lands in Monona county, Iowa.

Senate File No. 174, a bill for an act to provide for the levy of one-half mill State tax for the years 1882 and 1883, to reimburse the general revenue fund of the State for money paid on account of war debts, and for the new capitol, and other purposes.

House File No. 9, a bill for an act to enable county treasurers to pay outstanding warrants.

House File No. 145, a bill for an act for the relief of the family of J. W. McKenzie the "Hero of Kenesaw" and late judge of the Eleventh Judicial District of Iowa.

House File No. 136, a bill for an act to amend section 1324 of the Code of 1873, relating to telegraphs.

Senate File No. 326, a bill for an act to amend section 1, chapter 194 of the laws of the Eighteenth General Assembly, entitled an act making appropriation for the Iowa State Library.

Substitute for Senate File No. 30, a bill for an act to further diminish liabilities to railroad accidents and punish interference with and injury to railroad property.

House File No. 466, a bill for an act legalizing the organization and acts of the Humboldt College Association.

House File No. 83, a bill for an act to amend section 936 of the Code of 1873, relating to road notices.

A. W. RENSRAW, *Second Assistant Clerk.*

Substitute for House File No. 420, a bill for an act apportioning the State of Iowa into eleven congressional districts, was taken up and read a first and second time.

Ordered that the bill be considered by sections and considered now. Section 1 was adopted without amendment.

Sections 2, 3, 4, and 5 were adopted without amendment.

Section 6: Senator Hartshorn moved that Kossuth county be stricken from said section and placed in the eleventh district, which motion prevailed.

Senator Wright moved to strike from said section the word "sixth" (6th) and insert "tenth" (10th), which motion was agreed to, and the section as amended was adopted.

Section 7: Senator Wright moved to amend said section so that this district shall be known as the fifth district.

Section 8 was amended by striking out "seventh" and inserting "sixth."

As amended the section was adopted.

Section 9: Senator Wilson moved as an amendment to strike out "Marion, Warren, Madison, and Adair," and insert "Union, Adams, Page, and Taylor," which proposed amendment was lost.

Senator Clark of Page moved to strike from the section "Ringgold," which was disagreed to.

Senator Keller moved to strike from said section "Adair" and insert "Union."

Senator Wright moved that the vote be reconsidered by which the motion made by Senator Wilson was lost, which motion prevailed.

Senator Wright moved that the names of all the counties in section 9 be stricken out and the following named counties inserted instead; viz., "Adams, Union, Clark, Lucas, Page, Taylor, Ringgold, Decatur, Wayne, and Appanoose."

On which question the yeas and nays were demanded. The roll was called.

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Cotton, Garber, Gillett, Hall, Harmon, Hebard, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Nichols of Benton, Nielander, Poynear, Prizer, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wilson, and Wright—30.

The nays were:

Senators Clark of Page, Dashiell, Greenlee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Robinson, Rothert, and Whaley—12.

Absent or not voting:

Senators Baker, Brown of Van Buren, Clark of Wayne, Graves, Hartshorn, Hemenway, Mitchell, and Wall—8.

So the motion prevailed.

As thus amended the section was adopted.

Section 10: Senator Russell of Greene moved to add to section 10 the "counties of Carroll and Greene," which was not agreed to.

Senator Wright moved that the district be constituted as follows; viz., "Monona, Crawford, Harrison, Shelby, Pottawattamie, Cass, Mills, Montgomery, and Fremont," which motion was agreed to, and the section as amended was adopted.

Section 11: Senator Wright moved that section 11 be constituted as follows; viz., "of the counties of Audubon, Guthrie, Dallas, Polk, Adair, Madison, Warren, and Marion," which amendment was agreed to, and on motion the word "tenth" was stricken out and "seventh" inserted instead.

Graves, Greenlee, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—45.

The nays were:

Senators Clark of Wayne, Hall, Mitchell, and Nielander—4.

Absent or not voting:

Senator Rothert—1.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House Files Nos. 39 and 44, a bill for an act in relation to the negotiability of promissory notes obtained by fraud.

House File No. 98, a bill for an act to define and punish the crime of cruel and inhuman treatment of children.

House File No. 278, a bill for an act requiring railroad companies to file plats and statements of roads with county auditors.

Also, substitute for House File No. 191, a bill for an act amendatory of section 1923 of the Code, relating to the transfer of personal property.

Also, House File No. 75, a bill for an act to amend section 6, chapter 151 of the laws of the Eighteenth General Assembly.

Also, the House has passed without amendment, Senate File No. 312, a bill for an act to provide for the appointment and salary of a deputy clerk of the Supreme Court.

A. W. RENSHAW, *Second Assistant Clerk.*

House File No. 270, a bill for an act apportioning the State into representative districts and declaring the ratio of representation.

Read a first and second time, and on motion considered now.

#### COMMUNICATION.

By general consent a communication from the Attorney-general in reply to a resolution which passed the Senate on yesterday as to the meaning of the Constitution relative to representation in the House, was read as follows:

OFFICE OF ATTORNEY-GENERAL, }  
DES MOINES, March 14, 1882. }

HON. O. H. MANNING, *President of the Senate:*

I have considered the resolution of the Senate being of this date and reading as follows:

*Resolved*, That the Attorney-general be and is hereby requested to give his opinion in writing upon the question as to whether a county is

entitled to a representation in the General Assembly under the provisions of the Constitution of this State when such county has a number of inhabitants less than one half of the ratio fixed by law; each of the counties adjoining having a number of inhabitants equal to one-half of the ratio fixed by law.

And further, if a county having the required number equal one-half of the ratio can be attached to a county not having the required number without a violation of the Constitution.

I owe it to myself, as well as to the Senate, to say that with but a few hours for consideration, and with no opportunity to hear discussion and arguments supporting conflicting views, that it is with no feigned diffidence or embarrassment that I feel called upon to pass upon such all-important constitutional questions. If any Senator should differ from me in the conclusions I arrive at, I know the circumstances surrounding me, and the embarrassments before mentioned, will be remembered.

It must always be borne in mind that each of the three branches of our State government exist and have their respective powers because of the solemn declaration of the sovereign power, the people, as expressed in the Constitution. The General Assembly, as does the judicial and executive department, acts within the scope and limits mapped out by the Constitution. The purposes of a State Constitution must not be overlooked, nor must it be confounded with those of the Federal Constitution; because they are in but few, if any, respects alike as to their purposes. Under a State Constitution the legislative body have powers well nigh, or quite, supreme in all matters pertaining to the enactment of laws or legislative duties, unless there is a limitation upon such powers either by the Federal or State Constitution.

A State Constitution is only for the purposes of—

1st. A bill of rights.

2d. To define the powers of each of the three departments; and

3d. A limitation of such powers.

So in determining whether the General Assembly has the power to pass a proposed statute it is only necessary to inquire whether it is a subject of legislation, and whether it is in conflict with the Federal or State Constitution. But a measure that is prohibited by the Constitution, either in express terms or by implication, can never become a law. It may be put in the form of a law and receive the requisite number of votes, but it cannot be a law; it is null and void and of no force whatever. Keeping these suggestions in mind, let us examine the Constitution and see what limitation or prohibition upon such measures:

Section 35 of article 3 provides that every county and district which shall have a number of inhabitants equal to one-half the ratio fixed by law shall be entitled to one representative.

By this expression, in direct terms, it must be said that a county not having the one-half is not entitled to a representative. The expression of one is to the exclusion of the other, and to my mind a county having less than the one-half in number can under no circumstances have a member in the House. That part of a statute purporting to give it, would be unconstitutional, absolutely null and void, and a member so



elected could have no rights in the House. And it will not do to say that the House is the judge of the election of its own members. That provision only applies when there is a controversy as to the election, when some person has or may have a right to a seat. But there must be an authority to elect some one, which authority does not exist when the number of inhabitants of a county is less than one-half the ratio.

But it is the latter part of the resolution that is the more difficult to answer. The county not having one-half the ratio, and each county adjacent thereto having more than one-half, can it be attached to one of them and thereby a representative district formed? If this question is answered in the negative, and my conclusion above announced is correct, then we have the startling proposition that one county is without representation. No Senator will say that that shall be allowed. It is an unwritten law higher than any written constitution, that every elector shall have a vote in the selection of those placed in authority. General Assemblymen are but trustees selected by the people for the execution of a trust, and this trust is conferred by the people.

To say that such an interpretation should prevail is to say that the Constitution is without meaning, and such interpretations are never allowable. What did the people intend, is always the question. Is it not reasonable to say that the language in section 35, which reads "Every county *and district*" can cover such a case? If not why are those words "and district" inserted?

I am aware of the next section which provides that the General Assembly shall form into districts those counties which are not entitled *singly* to a representative. But can it not be logically said that this means those counties that have more than half the ratio, and are not attached to other counties? This must be the answer unless we say that either the one county shall be denied a representative, or that an attempt should be made to give it a representation by unconstitutional methods, and methods absolutely null and void. To adopt the one interpretation is to harmonize and give meaning to the Constitution. To adopt the other is to say that it is without meaning. We all know that the people meant when they adopted the Constitution to give every county, either singly or with other counties, a representative. To adopt my interpretation allows this.

Out of this foggy, muddy entanglement I see no other road; and so I prefer to advise that a county having less than one-half the ratio can be attached to a county having in excess of one-half the number as fixed by law.

All of which is respectfully submitted.

SMITH MCPHERSON, *Attorney-general*.

The question being on the engrossment of the bill, Senator Logan moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that

the House has refused to concur in Senate amendment to House Files Nos. 420, 422, and 437, a bill for an act apportioning the State into eleven congressional districts.

A. W. RENSHAW, *Assistant Clerk.*

Senator Nichols of Guthrie moved that when the Senate adjourn it shall be until 2 o'clock P. M., which was agreed to.

At 12 o'clock the Senate adjourned.

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### AFTERNOON SESSION.

2 O'CLOCK P. M.

The Senate convened at the time named, President Manning in the chair.

#### RESOLUTION.

Senator Arnold obtained consent of the Senate to offer the following resolution:

*Be it resolved by the Senate, the House concurring,* That the Capitol Commissioners be and they are hereby instructed to furnish for occupancy by the next General Assembly so much of the new capitol as may be required for that purpose, including Senate Chamber, Hall of the House of Representatives, library room, post-office, telegraph office, etc., out of any funds heretofore appropriated by an act entitled an act to provide for an appropriation to complete the new capitol, approved March 15, 1882.

The resolution was adopted.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill without amendment:

Senate File No. 287, a bill for an act to include all the territory of an incorporated city or town within the independent school districts now existing or hereafter to be formed.

Also, that the House refuses to concur in Senate amendment to House Files Nos. 420, 422, and 437, a bill for an act to divide the State into eleven congressional districts.

A. W. RENSHAW, *Second Assistant Clerk.*

Consideration of House File No. 270, was resumed, a bill for an act to apportion the State of Iowa into representative districts.

Senator Johnson offered an amendment to the bill by striking the words "and fifty" from the first line of section 1.

On the adoption of Senator Johnson's amendment the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Brown of Keokuk, Cotton, Hemenway, Johnson, Parker, Patrick, Prizer, and Russell of Jones—8.

The nays were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Graves, Greenlee, Harmon, Hartshorn, Hebard, Henderson, Hunt, Hutchison, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Poyneer, Robinson, Rothert, Russell of Greene, Shrader, Sudlow, Tirrill, and Whaley—34.

Absent or not voting.

Senators Garber, Gillett, Hall, Larrabee, Smith, Wall, Wilson, and Wright—8.

So the motion was lost.

Senator Johnson moved to strike section 83 of the bill.

The question being on the motion to strike out section 83, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Brown of Keokuk, Clark of Wayne, Cotton, Hemenway, Johnson, Parker, Patrick, Prizer, and Russell of Jones—9.

The nays were:

Senators Abraham, Baker, Bills, Boling, Brown of Van Buren, Clark of Page, Dashiell, Graves, Greenlee, Harmon, Hartshorn, Hebard, Henderson, Hunt, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Poyneer, Robinson, Rothert, Russell of Greene, Shrader, Sudlow, Tirrill, and Whaley—31.

Absent or not voting:

Senators Arnold, Garber, Gillett, Hall, Hutchison, Larrabee, Smith, Wall, Wilson, and Wright—10.

So the motion to amend was lost.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate resolution relating to joint convention this evening at seven o'clock.

Also, that the House has concurred in the Senate resolution relating to postmistresses, by adding the word "mail-carrier" after the word "postmistressess."

R. B. BAIRD, *Assistant Clerk.*

The question recurring upon the motion to suspend the rule moved by Senator Logan, the same prevailed.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Greenlee, Hebard, Hemenway, Hunt, Hutchison, Kamrar, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nieland, Robinson, Rothert, Russell of Greene, Shrader, Smith, Sudlow, Whaley, Wilson, and Wright—33.

The nays were:

Senators Brown of Keokuk, Graves, Johnson, Parker, Patrick, Prizer, and Russell of Jones—7.

Absent or not voting:

Senator Garber, Gillett, Hall, Harmon, Hartshorn, Henderson, Larrabee, Poyneer, Tirrill, and Wall—10.

So the bill passed, and the title was agreed to.

House File No. 57, a bill for an act to create a State Educational Board of Examiners, and to encourage training in the science and art of teaching, was taken up and considered.

Senator Russell of Jones moved to amend section 3 of the bill by inserting after the word "dollars" in the third line thereof the words "to be paid into the State Treasury," which motion prevailed.

On motion of Senator Bills section 8 was stricken from the bill.

Senator Poyneer moved to strike out all after and including the word "provided" in the fourth line of section 3, which motion prevailed.

Senator Nichols of Guthrie moved to add to section 5 the following: "subdirectors of subdistricts, or directors of independent districts may employ persons holding State diplomas to teach in their respective districts or subdistricts for a term not exceeding five years."

Which amendment was lost.

Senator Nichols offered a similar amendment fixing the time at three years, which did not prevail.

Senator Robinson moved to strike section 9 from the bill, which was agreed to.

The question being on the engrossment of the bill, Senator Robinson moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Bills, Boling, Brown of Keokuk, Clark of Page, Gillett, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Hunt, Kamrar, Keller, Larrabee, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nieland, Parker, Patrick, Prizer, Robinson, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—32.

The nays were:

Senators Abraham, Brown of Van Buren, Clark of Wayne, Dashiell, Graves, Hunt, Hutchison, Poyneer, Rothert, Russell of Greene, and Russell of Jones—11.

Absent or not voting:

Senators Baker, Cotton, Garber, Henderson, Johnson, Logan, and Wall—7.

So the bill passed, and the title was agreed to.

#### COMMUNICATION.

The following communication was submitted by the President, read, and passed on file:

BOSTON, MASSACHUSETTS, March 12, 1882.

SIR—I learn through the telegraphic news that both houses of the legislature have passed a resolution requesting the President to instruct the Attorney-general to take measures to bring a suit to set aside the patents claimed by the Washburn & Moen Manufacturing Company and others for a wire fence.

As it may be of interest as well to the legislature who seem to have taken such energetic action in this matter as to the people of Iowa, I venture to inform you that the action of the legislature has been anticipated.

As counsel for the associated farmers of Iowa, as soon as the assignees of the patents had withdrawn their cases from court so as to hinder and delay judicial remedy, I applied to the Honorable Benjamin H. Brewster, Attorney-general of the United States, in his official capacity as *forens patriæ* in such matters of public concern to have an investigation made into the validity of said several patents and to institute such proceedings as are necessary to set them aside if found invalid. To this request the Attorney-general very promptly gave assent, and instructed that as soon as I could present him the necessary papers and evidence the above case should be carefully examined and every relief within the capacity of the department of justice afforded. I doubt not the Attorney-general will be glad to find that his efforts will be appreciated and favored by the legislature of the State of Iowa. I leave to-night for Washington for the purpose of presenting the papers and evidence in this matter to the Attorney-general. If not inconsistent with the public service will you communicate this note to the Senate.

I have the honor to be very respectfully your obedient servant.

BENJ. F. BUTLER.

*The presiding officer of the Senate of Iowa, Des Moines, Iowa.*

The Secretary was ordered to return to the House, substitute for House Files Nos. 420 and 422, as per request.

#### RESOLUTION.

Senator Hall offered the following:

*Resolved by the Senate, the House concurring,* That the Executive Council and the Attorney-general are hereby authorized and empowered to settle and compromise any judgment or judgments obtained against Seth H. Craig, late Warden of the Penitentiary at Fort Madison, and his sureties, and against other parties, growing out of his administration. And also settle and dismiss any suit now pending against

parties growing out of his administration; the same to be done upon such terms as said Executive Council and the Attorney-general may deem advisable and to the best interest of the State.

The resolution was adopted.

House File No. 475, a bill for an act in relation to the compensation of certain members of the Nineteenth General Assembly, with report of the committee recommending it do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Larrabee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Van Buren, Cotton, Dashiell, Garber, Graves, Harmon, Hartshorn, Hebard, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Tirrill, Wall, and Wilson—38.

The nays were—None.

Absent or not voting:

Senators Bills, Brown of Keokuk, Clark of Page, Clark of Wayne, Gillett, Greenlee, Hall, Henderson, Poyneer, Sudlow, Whaley, and Wright—12.

So the bill passed, and the title was agreed to.

House File No. 472, a bill for an act authorizing the board of school directors of Pacific City, in Mills county, to build a school-house in the city or town park, was taken up and considered.

The question being on the engrossment of the bill, Senator Hemenway moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Baker, Bills, Clark of Page, Cotton, Gillett, Graves, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Marshall, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, and Wright—33.

The nays were—None.

Absent or not voting:

Senators Arnold, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Dashiell, Garber, Greenlee, Hall, Hebard, Larrabee, Logan, Mitchell, Nichols of Benton, Prizer, Wall, and Wilson—17.

So the bill passed, and the title was agreed to.

House File No. 201, a bill for an act to provide for filling vacancies in offices of incorporated town, was taken up and considered.

Senator Larrabee moved that the rule be suspended, and the bill be

considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Cotton, Dashiell, Graves, Hall, Harmon, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Marshall, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, and Whaley—36.

The nays were:

Senator Clark of Wayne—1.

Absent or not voting:

Senators Arnold, Brown of Van Buren, Garber, Gillett, Greenlee, Hartshorn, Hebard, Logan, Nichols of Benton, Nichols of Guthrie, Wall, Wilson, and Wright—13.

So the bill passed, and the title was agreed to.

House File No. 172, a bill for an act to provide for the publication of city and town ordinances in book or pamphlet form, and for the taking effect thereof, was taken up and considered.

The question being on the engrossment of the bill, Senator Marshall moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, and Wright—42.

The nays were:

Senator Clark of Wayne—1.

Absent or not voting:

Senators Gillett, Greenlee, Hutchison, Mitchell, Wall, Whaley, and Wilson—7.

So the bill passed, and the title was agreed to.

House File No. 202, a bill for an act to amend section 463 of the Code of 1873, in relation to the sale of liquors in cities and incorporated towns, was taken up and considered.

The question being on the engrossment of the bill, Senator Larrabee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Greenlee, Harmon, Hartshorn, Hebard, Hutchison, Johnson, Kamrar,

Keller, Larrabee, Logan, Marshall, Nichols of Muscatine, Parker, Patrick, Poyneer, Robinson, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, and Wright—32.

The nays were:

Senators Bills, Hall, Hunt, Nielander, and Shrader—5.

Absent or not voting:

Senators Baker, Garber, Graves, Hemenway, Henderson, Mitchell, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, Wall, and Wilson—13.

So the bill passed, and the title was agreed to.

Joint resolutions proposing amendments to the Constitution of the State, were taken up and considered.

Senator Russell of Jones moved to strike out all except the two first resolutions, which motion was lost.

Senator Russell of Jones moved to strike out the last resolution, which did not prevail.

The question being on the engrossment of the resolution, Senator Larrabee moved that the rule be suspended, and the resolution be considered engrossed, and read a third time now, which motion prevailed, and the resolution was read a third time.

The question being, shall the resolution pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Greenlee, Hall, Hartshorn, Henderson, Hunt, Hutchison, Johnson, Keller, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—37.

The nays were:

Senators Baker, Clark of Wayne, Harmon, Hebard, and Rothert—5.

Absent or not voting:

Senators Gillett, Graves, Hemenway, Kamrar, Larrabee, Parker, Russell of Greene, and Wilson—8.

So the resolution passed, and the title was agreed to.

House File No. 414, a bill for an act to legalize the organization and acts of the independent school district of Carl Village, consisting of territory in the county of Adams, Iowa, was taken up and considered.

The question being on the engrossment of the bill, Senator Larrabee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Johnson, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—40.

The nays were—None.



Absent or not voting:

Senators Arnold, Boling, Brown of Van Buren, Gillett, Graves, Hebard, Hutchison, Kamrar, Nichols of Benton, and Russell of Greene—10.

So the bill passed, and the title was agreed to.

On motion of Senator Wright the Senate declared itself unwilling to recede from its action relative to the apportionment of the State into eleven congressional districts.

#### RESOLUTION.

Senator Bills had the rule suspended for the purpose of offering the following resolution:

*Resolved*, That a Conference Committee consisting of Senators Wright, Wilson, and Nichols of Benton be and is hereby appointed to confer with a like committee from the House on the difference existing between the two houses on the apportionment of the State into eleven congressional districts.

Which resolution was adopted.

On motion of Senator Hutchison the following named Senators were added to the Conference Committee; viz., Senators Kamrar, Brown of Keokuk, Smith, and Clark of Page.

Senator Hall moved that the chair appoint the Committee of Conference, pending the motion to appoint the Senators above named, which motion was lost.

#### BILLS ON SECOND READING.

House File No. 442, a bill for an act to legalize the levy of certain taxes in Mills county, Iowa, was taken up and considered.

The question being on the engrossment of the bill, Senator Marshall moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Niellander, Parker, Patrick, Poynear, Prizer, Robinson, Rothert, Shrader, Smith, Sudlow, Wall, Whaley, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Clark of Page, Dashiell, Hebard, Russell of Greene, Russell of Jones, Tirrill, and Wilson—7.

So the bill passed, and the title was agreed to.

At half past 4 o'clock the Senate adjourned until 7 o'clock this evening.

## EVENING SESSION.

7 O'CLOCK P. M.

The Senate met pursuant to adjournment and was called to order by the President.

## RESOLUTION.

Senator Larrabee offered the following resolution, which was adopted: *Resolved that the Senate, the House concurring*, Authorize the Secretary of State to procure six hundred copies of the Iowa Legislative Manual, at fifty cents per copy, five hundred copies for the use of the General Assembly, one hundred copies for the use of the State Librarian and State officers.

The resolution was adopted.

A committee from the House appeared before the bar of the Senate and announced the House ready to receive the Senate in joint convention.

The President appointed Senator Roling as teller on the part of the Senate.

The Senate repaired to the Hall of the House of Representatives.

## JOINT CONVENTION.

The joint convention was called to order by the President of the Senate, who stated that the object of the joint convention was to elect trustees and other officers for the various State institutions.

The roll was called and the following members responded to their names:

Messrs. Abraham, Babcock, Baughman, Benson, Bird, Blain, Boling, Bosworth, Bowdish, Bridges, Brown of Butler, Brown of Van Buren, Caldwell, Clark of Wayne, Cook, Cotton, Danforth, Dashiell, Daugherty, Davidson, Dotson, Dungan, Earle, Ehl, Elerick, Flint, Garber, Gillett, Graves, Griffith, Greenlee, Hall of Des Moines, Harmon, Hartshorn, Hemenway, Henderson of Fremont, Hubbard, Hubbell, Hunt, Hutchison, Johns, Johnson of Mahaska, Keller, Kelly, Kuhlmer, Lucas, Lynch, McCully, McDonald, McGregor, McManus, Maxwell, Morgan, Nichols of Benton, Nielander, O'Brien, Parker, Patrick, Payne, Pearson, Robb, Rorick, Russell of Jones, St. Clair, Schmidt, Seiffert, Simpson, Smith, Snook, Spencer, Stephens, Struble, Taylor, Tirrill, Upton, Van Staden, Wall, Walstead, Whaley, Wilson of Clarke, Wolfe of Johnson, Wright of Pottawattamie, Wright of Webster.

Mr. Benson offered the following resolution:

*Be it resolved by the Senate and House of Representatives of the State of Iowa, in joint convention assembled*, That the following named persons are hereby declared duly elected Trustees and Directors of the various State institutions; viz.,

Trustees for the Iowa College for the Blind, Jacob Springer, J. S. Barclay, M. H. Westbrook.

Trustee for the Iowa Institution for the Deaf and Dumb, L. Wine-stien.

Trustees for the Soldiers' Orphans' Home, S. B. Bryant, C. Orcutt, G. W. Nelson.

Directors for the State Normal School, H. M. Field, D. J. McDade.

Trustees for the Iowa Hospital for the Insane at Mt. Pleasant, T. Whiting, P. H. Lewellyn, G. R. Henry.

Trustees for the Iowa Hospital for the Insane at Independence, Lewis H. Smith, A. Reynolds.

Trustees for the Institution for Feeble-Minded Children, E. R. S. Woodrow, W. H. Hall, Fred O'Donnell.

Trustees for Iowa Reform School, Thomas Mitchell, W. A. Stowe.

On the adoption of which resolution the roll was called, and those voting voted in the affirmative were:

Messrs. Aaker, Abraham, Anderson, Baker, Baughman, Benson, Bird, Bishop, Boling, Bosworth, Bowdish, Bridges, Brown of Butler, Brown of Keokuk, Brown of Van Buren, Caldwell, Calkins, Clark of Page, Cook, Cotton, Crew, Danforth, Dashiell, Daugherty, Davidson, Dickins, Dotson, Dungan, Earle, Ehl, Elerick, Epperson, Evans, Gillett, Graves, Griffith, Haines, Hall of Clarke, Hall of Des Moines, Hanchett, Harmon, Hartshorn, Havens, Hemenway, Henderson of Fremont, Holmes, Hubbell, Hunt, Hutchison, Johns, Johnson of Mahaska, Keller, Kelly, Kuhlemier, Lemert, Lewis, Logan, Lucas, Lynch, McCall, McCully, McDonald, McGregor, McManus, Marshall, Merten, Mitchell, Morgan, Muncey, Nichols of Benton, Nielander, O'Brien, Parker, Patrick, Payne, Pearson, Pickler, Pitcher, Platter, Powell, Poyneer, Robb, Robinson, Rorick, Ryder, St. Clair, Schmidt, Seiffert, Shearer, Simpson, Smith, Snook, Spencer, Stephens, Struble, Sudlow, Taylor, Tilton, Upton, Van Staden, Wall, Warren, Welstead, Whaley, Wilson of Clarke, Wright of Pottawattamie, Wright of Webster—108.

So the resolution was adopted.

The following certificates were signed in the presence of the joint convention:

HALL OF HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the College for the Blind, at Vinton, Iowa, Jacob Springer, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the College for the Blind.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the College for the Blind, at Vinton, Iowa, J. S. Barclay, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the College for the Blind.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the College for the Blind, at Vinton, Iowa, M. H. Westbrook, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the College for the Blind.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election of the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing trustees for the Iowa Institution for the Deaf and Dumb, at Council Bluffs, Iowa, L. Weinstein, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Iowa Institution for the Deaf and Dumb at Council Bluffs, Iowa.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 15, 1882.

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Soldiers' Orphans' Home, S. B. Bryant, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Soldiers' Orphans' Home.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 15, 1882.

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Soldiers' Orphans' Home, C. Orcutt, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Soldiers' Orphans' Home.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Soldiers' Orphans' Home, G. W. Nelson, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Soldiers' Orphans' Home.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing directors for State Normal School, W. M. Field, having received a majority of all the votes cast for said office, was declared duly elected director for the State Normal School.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882.

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Directors for the State Normal School, D. J. McDade, having received a majority of all the votes cast for said office, was declared duly elected Director for the State Normal School.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882.

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Iowa Hospital for the Insane at Mt. Pleasant, and Timothy Whiting, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Iowa Hospital for the Insane at Mt. Pleasant.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882.

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Soldiers' Orphans' Home, G. W. Nelson, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Soldiers' Orphans' Home.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882.

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing directors for State Normal School, W. M. Field, having received a majority of all the votes cast for said office, was declared duly elected director for the State Normal School.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 15, 1882.

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Directors for the State Normal School, D. J. McDade, having received a majority of all the votes cast for said office, was declared duly elected Director for the State Normal School.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 15, 1882.

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Iowa Hospital for the Insane at Mt. Pleasant, and Timothy Whiting, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Iowa Hospital for the Insane at Mt. Pleasant.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Insane Hospital at Mt. Pleasant, P. W. Lewellyn, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Iowa Hospital for the Insane at Mt. Pleasant.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*  
G. R. STRUBLE,

*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election of the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Iowa Hospital for the Insane at Mt. Pleasant, R. G. Henry, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Iowa Hospital for the Insane at Mt. Pleasant.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*  
G. R. STRUBLE,

*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Iowa Hospital for Insane at Independence, L. H. Smith having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Iowa Hospital for the Insane at Independence.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Iowa Hospital for the Insane at Independence, and A. Reynolds having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Iowa Hospital for the Insane at Independence.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees of the Asylum for Feeble-Minded Children, E. R. S. Woodrow, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the the Asylum for Feeble-Minded Children, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for Institution for Feeble-Minded Children, W. H. Hall, having received a majority of all the votes cast for said office, was declared duly elected Trustee for Institution for Feeble-Minded Children.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Iowa Asylum for Feeble-Minded Children, Fred O'Donell, having received a majority of all the votes cast for said office, was declared duly elected Trustee of Asylum for Feeble-Minded Children.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Iowa Reform School, Thomas Mitchell, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Iowa Reform School.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees of the Asylum for Feeble-Minded Children, E. R. S. Woodrow, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the the Asylum for Feeble-Minded Children, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for Institution for Feeble-Minded Children, W. H. Hall, having received a majority of all the votes cast for said office, was declared duly elected Trustee for Institution for Feeble-Minded Children.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882.

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Iowa Asylum for Feeble-Minded Children, Fred O'Donnell, having received a majority of all the votes cast for said office, was declared duly elected Trustee of Asylum for Feeble-Minded Children.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882.

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Iowa Reform School, Thomas Mitchell, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Iowa Reform School.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees of the Asylum for Feeble-Minded Children, E. R. S. Woodrow, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the the Asylum for Feeble-Minded Children, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for Institution for Feeble-Minded Children, W. H. Hall, having received a majority of all the votes cast for said office, was declared duly elected Trustee for Institution for Feeble-Minded Children.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Iowa Asylum for Feeble-Minded Children, Fred O'Donnell, having received a majority of all the votes cast for said office, was declared duly elected Trustee of Asylum for Feeble-Minded Children.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Iowa Reform School, Thomas Mitchell, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Iowa Reform School.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1882.

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 15th day of March, A. D. 1882, for the purpose of electing Trustees for the Iowa Reform School, W. A. Stowe, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Iowa Reform School.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

R. M. WRIGHT,  
*Teller of the House of Representatives.*

COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the Governor at the hands of his private secretary:

STATE OF IOWA, }  
EXECUTIVE DEPARTMENT, }  
DES MOINES, March 15, 1882. }

*To the Honorable, the Senate*—I return herewith with my objections the bill originating in the Senate entitled "an act to legalize defective acknowledgments to written instruments recorded in this State."

In my opinion the bill is far too sweeping and general in character, and its results would be to provoke litigation rather than otherwise. It will be noticed that the bill does not assume to correct defective acknowledgments only, but is so far reaching as to include all acknowledgments by whomsoever made or taken, whether the party thus acting was authorized or not. I cannot persuade myself that such was the real intent of the General Assembly. The bill does not pretend to correct or legalize the record of such instruments, and it is open to question whether or not the legalization of the acknowledgment would have the desired effect upon the record, which is of quite equal importance. It is my belief that no general legislation should be given or attempted in respect to instruments purporting to have been executed nearly fifty years ago.

At best, legalizing acts are of very doubtful expediency. The effect is to promote inattention to the plain requirements of law, thus tending to increase litigation among the people, which should be discouraged. But when so general an act is proposed as in the present case, I am persuaded it should not receive the sanction of the State.

BUREN R. SHERMAN.

Senate File No. 125, a bill for an act to legalize defective acknowledgments to written instruments recorded in this State.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the acknowledgments of all deeds, mortgages, or other instruments in writing, taken and certified previous to the passage of this act, and which have been admitted to record in the proper counties in this State, be and the same are hereby declared to be legal and valid in all courts of law and equity in this State, anything in the laws of the Territory or the State of Iowa in regard to acknowledgments to the contrary notwithstanding.

SEC. 2. All deeds, mortgages, or other instruments in writing for the conveyance of lands which have heretofore been made and executed, and where the officer taking the acknowledgment has not affixed his seal to the acknowledgment, such acknowledgment shall, nevertheless, be good and valid in law and equity, anything in any law heretofore passed to the contrary notwithstanding.

JOHN N. IRWIN,

*Speaker of the House of Representatives, pro tem.*

O. H. MANNING,

*President of the Senate.*

I hereby certify that this bill originated in the Senate, and is known as Senate File No. 125.

FRANK D. JACKSON, *Secretary of Senate.*

On motion of Senator Nichols of Guthrie the bill was made a special order for half past 9 o'clock to-morrow morning.

#### BILLS ON SECOND READING.

Senate File No. 90, a bill for an act to provide a fund from which to pay for sheep killed or injured by dogs, with report of the committee recommending that the bill do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Greenlee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hemenway, Hutchison, Johnson, Kamrar, Keller, Larabee, Marshall, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—35.

The nays were:

Senators Baker, Clark of Wayne, Henderson, Hunt, Mitchell, Patrick, Russell of Jones, Shrader, and Wilson—9.

Absent or not voting:

Senators Arnold, Hall, Hartshorn, Hebard, Logan, and Nichols of Benton—6.

So the bill passed, and the title was agreed to.

House File No. 139, a bill for an act to amend section 1, chapter 47,

of the acts of the Fifteenth General Assembly, in relation to crossing highways, was taken up and considered.

The question being on the engrossment of the bill, Senator Bills moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Arnold, Greenlee, Hebard, Hunt, Prizer, and Wilson—6.

So the bill passed, and the title was agreed to.

Substitute for House File No. 317, a bill for an act to repeal chapter 153 of the laws of the Ninth General Assembly, and to amend section 1 of chapter 167 of the laws of the Eighteenth General Assembly, was taken up and considered.

The question being on the engrossment of the bill, Senator Larrabee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Harmon, Hartshorn, Hemenway, Hutchison, Johnson, Kamrar, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—38.

The nays were—None.

Absent or not voting:

Senators Abraham, Arnold, Greenlee, Hall, Hebard, Henderson, Hunt, Keller, Nichols of Benton, Rothert, Russell of Greene, and Wilson—12.

So the bill passed, and the title was agreed to.

House File No. 372, a bill for an act to legalize the action of the county superintendent of Linn county, in the transfer of territory from the independent school district of Union to the independent school district of Cedar Rapids, was taken up and read a first and second time.

The question being on the engrossment of the bill, Senator Larrabee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Garber, Graves, Hall, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—41.

The nays were—None.

Absent or not voting:

Senators Arnold, Brown of Keokuk, Dashiell, Gillett, Greenlee, Hebard, Henderson, Logan, and Wall—9.

So the bill passed, and the title was agreed to.

Senate File No. 275, a bill for an act to amend chapter 111 of the laws of the Eighteenth General Assembly, in relation to the restoration of territory in school districts, with report of committee proposing a substitute and recommending it do pass, was taken up and considered.

The substitute was adopted.

The question being on the engrossment of the bill, Senator Hemenway moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Clark of Page, Cotton, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Keller, Larrabee, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Russell of Jones, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—36.

The nays were:

Senators Brown of Van Buren, Clark of Wayne, Dashiell, and Poyneer—4.

Absent or not voting:

Senators Arnold, Hebard, Henderson, Kamrar, Logan, Nichols of Guthrie, Rothert, Russell of Greene, Shrader, and Wall—10.

So the bill passed, and the title was agreed to.

House File No. 404, a bill for an act to legalize the sale and transfer by the St. Paul & Sioux City Railway Company of its railways in Iowa, to the Chicago, St. Paul, Minneapolis & Omaha Railway Company, was taken up and considered.

The question being on the engrossment of the bill, Senator Abraham moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Cotton, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Keller, Larrabee, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick,

Poyneer, Prizer, Robinson, Russell of Greene, Russell of Jones, Shrader, Sudlow, Tirrill, Wall, Whaley, and Wright—36.

The yeas were:

Senator Brown of Van Buren—1.

Absent or not voting:

Senators Arnold, Clark of Page, Clark of Wayne, Dashiell, Hall, Hebard, Henderson, Kamrar, Logan, Nielander, Rothert, Smith, and Wilson—13.

So the bill passed, and the title was agreed to.

House File No. 279, a bill for an act to legalize the acts of J. B. Lamb, a justice of the peace, with report of committee recommending that the bill do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Brown of Van Buren moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—42.

The nays were—None.

Absent or not voting.

Senators Arnold, Baker, Clark of Wayne, Hebard, Logan, Mitchell, Rothert, and Russell of Greene—8.

So the bill passed, and the title was agreed to.

#### RESOLUTION.

By consent, Senator Hemenway offered the following resolution:

*Resolved*, That the hearty thanks of the Senate are hereby tendered to Lieutenant-Governor Orlando H. Manning for the very satisfactory manner in which he has performed the duties of the presiding officer of this body. And as an appropriate token of its regard, the Senate hereby presents to him the chair he has so ably filled, and the gavel he has wielded with such strict and genial impartiality.

Adopted by a unanimous rising vote.

Senate File No. 110, a bill for an act to amend certain sections of chapter 5, title 12, Code of 1873, relating to the time of holding pupils' Department of the Iowa Reform School, with report of the committee recommending that the bill do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Smith moved that the rule be suspended and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Clark of Page, Cotton,

Dashiell, Garber, Gillett, Greenlee, Harmon, Hartshorn, Hemenway, Johnson, Keller, Larrabee, Marshall, Mitchell, Nichols of Muscatine, Patrick, Prizer, Robinson, Russell of Jones, Smith, Tirrill, Whaley, Wilson, and Wright—28.

The nays were:

Senators Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Hutchison, and Poyneer—5.

Absent or not voting:

Senators Arnold, Graves, Hall, Hebard, Henderson, Hunt, Kamrar, Logan, Nichols of Benton, Nichols of Guthrie, Nielander, Parker, Rothert, Russell of Greene, Shrader, Sudlow, and Wall—17.

So the bill passed, and the title was agreed to.

Senate File No. 333, a bill for an act to amend section 3, of chapter 110 of the laws of the Thirteenth General Assembly, approved April 13, 1870, was taken up and considered.

The question being on the engrossment of the bill, Senator Smith moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Garber, Gillett, Harmon, Hartshorn, Hemenway, Henderson, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—38.

The nays were:

Senators Greenlee and Nielander—2.

Absent or not voting:

Senators Abraham, Arnold, Clark of Wayne, Dashiell, Graves, Hall, Hebard, Hunt, Prizer, and Wall—10.

So the bill passed, and the title was agreed to.

House File No. 159, a bill for an act to protect railway passengers and others from annoyance and disturbance by rowdies and intoxicated persons, with the report of the committee recommending that it do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Rothert moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Greenlee, Harmon, Hartshorn, Hunt, Kamrar, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—34.

The nays were—None.

Absent or not voting:

Senators Arnold, Bills, Gillett, Graves, Hall, Hebard, Hemenway,



Henderson, Hutchison, Johnson, Logan, Mitchell, Parker, Prizer, Russell of Greene, and Wall—16.

So the bill passed, and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

House File No. 328, a bill for an act to legalize the sale of certain school lands in Allamakee county, Iowa.

Senate File No. 312, a bill for an act to provide for the appointment and salary of a deputy clerk of the Supreme Court.

Substitute for Senate File No. 287, a bill for an act to include all the territory of an incorporated city or town within the independent school district or districts now existing or hereafter to be formed.

House File No. 415, a bill for an act authorizing incorporated towns and cities to procure and donate to railway companies sites for depots, machine-shops, and other business.

House File No. 325, a bill for an act to legalize the incorporation of the town of Cascade, Dubuque county, the election of its officers, and all acts done and ordinances passed by the council of said town.

House File No. 471, a bill for an act to legalize the election of C. A. Quackenbush and E. E. Alverson as trustees in and for the town of Marengo, Iowa.

House File No. 320, a bill for an act to legalize the sale of the following school lands; to-wit, the north half of the southeast quarter of the northwest quarter and north half of northwest quarter of northwest quarter, section 16, township 87, range 43, in Woodbury county, Iowa, to Jane H. Fisher.

Substitute for House File No. 443, a bill for an act to submit to a vote of the people the proposed amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquors as a beverage within the State.

House File No. 244, a bill for an act empowering cities under special charters to establish boards of health.

Senate File No. 188, a bill for an act to amend section 1675 of the Code, and to repeal section 1676 of the Code, as amended by chapter 72 of the acts of the Seventeenth General Assembly, and chapter 165 of the acts of the Eighteenth General Assembly, and enact a substitute therefor.

A. W. RENSLOW, *Second Assistant Clerk.*

House File No. 306, a bill for an act to prevent and punish the adulteration of articles of food, drink, and medicine, and the sale thereof when adulterated, with report of committee recommending it do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Whaley moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Bills, Boling, Clark of Page, Cotton, Garber, Harmon, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Parker, Poyneer, Robinson, Russell of Greene, Russell of Jones, Smith, Sudlow, Tirrill, Wall, Whaley, and Wilson—27.

The nays were:

Senators Baker, Brown of Keokuk, Brown of Van Buren, Dashiell, Greenlee, Hartshorn, Nielander, Patrick, Rothert, and Shrader—10.

Absent or not voting:

Senators Arnold, Clark of Wayne, Gillett, Graves, Hall, Hebard, Henderson, Johnson, Keller, Logan, Mitchell, Prizer, and Wright—13.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill without amendment:

Senate File No. 200, a bill for an act to authorize the sale and conveyance of indemnity "swamp land," so called.

A. W. RENSRAW, *Second Assistant Clerk.*

Joint resolution relative to the census returns of 1880, was taken up and considered, with the report of the committee recommending it do pass.

The question being on the engrossment of the resolution, Senator Shrader moved that the rule be suspended, and the resolution be considered engrossed, and read a third time now, which motion prevailed, and the resolution was read a third time.

The question being, shall the resolution pass?

The yeas were:

Senators Abraham, Bills, Brown of Keokuk, Cotton, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Wall, Whaley, and Wright—35.

The nays were:

Senator Baker—1.

Absent or not voting:

Senators Arnold, Boling, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Hebard, Henderson, Logan, Mitchell, Prizer, Russell of Greene, Tirrill, and Wilson—14.

So the resolution passed and the title was agreed to.

Senate File No. 328, a bill for an act to authorize the sale of certain penitentiary lands in Jones county, Iowa, was taken up and considered, with the report of the committee recommending it do pass.

The question being on the engrossment of the bill, Senator Whaley moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Cotton, Garber, Gillett, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Poyneer, Robinson, Rothert, Russell of Jones, Shrader, Sudlow, Tirrill, Wall, Whaley, and Wright—29.

The nays were:

Senators Brown of Keokuk, Brown of Van Buren, Kamrar, and Patrick—4.

Absent or not voting:

Senators Arnold, Clark of Page, Clark of Wayne, Dashiell, Graves, Greenlee, Hall, Hebard, Henderson, Johnson, Logan, Mitchell, Nichols of Guthrie, Prizer, Russell of Greene, Smith, and Wilson—17.

So the bill passed, and the title was agreed to.

House File No. 207, a bill for an act to enable boards of directors of independent school districts to insure school property, with the report of the committee recommending that it do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Hartshorn moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Robinson, Rothert, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—42.

The nays were—None.

Absent or not voting:

Senators Arnold, Dashiell, Hebard, Henderson, Mitchell, Nielander, Prizer, and Russell of Greene—8.

So the bill passed and the title was agreed to.

House File No. 285, a bill for an act to amend section 1862, and to repeal section 1865 of the Code, with report of committee recommending that it do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Hartshorn moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Bills, Boling, Brown of Keokuk, Clark of Page, Cotton, Gillett, Hall, Harmon, Hartshorn, Hemenway, Hutchison, Johnson, Kamrar, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Sudlow, Tirrill, Wall, Whaley, and Wright—34.

The nays were:

Senators Brown of Van Buren, Garber, Greenlee, and Hunt—4.

Absent or not voting:

Senators Arnold, Baker, Clark of Wayne, Dashiell, Graves, Hebard, Henderson, Logan, Mitchell, Russell of Greene, Smith, and Wilson—12.

So the bill passed, and the title was agreed to.

At 11:30 o'clock the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 16, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. A. G. Wright.

On motion of Senator Greenlee the reading of the journal was dispensed with.

#### SPECIAL ORDER.

The time for the special order having arrived, it being Senate File No. 125, a bill for an act to legalize the defective acknowledgments to written instruments in this State, was taken up and considered, together with the message of the Governor vetoing the same and stating his objection thereto.

The question before the Senate being, shall the bill pass notwithstanding the objections of the executive thereto?

The roll was called.

The yeas were:

Senators Abraham, Bills, Boling, Brown of Van Buren, Clark of Wayne, Cotton, Garber, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hunt, Hutchison, Johnson, Larrabee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Nielander, Patrick, Poyneer, Robinson, Sudlow, Wall, and Whaley—27.

The nays were:

Senators Arnold, Dashiell, Gillett, Hemenway, Mitchell, Parker, Prizer, Rothert, Russell of Greene, Russell of Jones, and Tirrill—11.

Absent or not voting:

Senators Baker, Brown of Keokuk, Clark of Page, Graves, Henderson, Kamrar, Keller, Nichols of Benton, Shrader, Smith, Wilson, and Wright—12.

So the bill passed, and the title was agreed to.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report they have examined Senate File No. 200, a bill for an act to authorize the sale and conveyance of indemnity swamp land so-called.

Senate File No. 192, a bill for an act apportioning the State of Iowa into senatorial districts.

Senate File No. 294, a bill for an act to legalize the incorporation and change of name of the town of Menlo, in Guthrie county, Iowa.

Senate File No. 337, a bill for an act to change the terms of court in certain counties of the Eleventh Judicial District.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

#### INTRODUCTION OF BILLS.

Senator Arnold, by leave, introduced Senate File No. 343, a bill for an act making appropriation for the payment of State and judicial officers, and certain expenses of the General Assembly.

Read a first and second time.

Ordered that the bill be considered now.

Senator Hall moved to amend by adding to the first section the following:

"And in addition to the sum now allowed by law as a salary to the State Librarian, there is hereby allowed and appropriated the further sum of five hundred dollars per annum, payable at the same time and in the same manner as the salary."

The amendment was adopted.

The question being on the engrossment of the bill, Senator Arnold moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Van Buren, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Harts-horn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, and Whaley—41.

The nays were—None:

Absent or not voting:

Senators Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Nichols of Benton, Rothert, Russell of Greene, Wilson, and Wright—9.

So the bill passed, and the title was agreed to.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 338, a bill for an act to amend section 438, chapter 10, title 4 of the Code, in relation to the abandonment of the charters of cities acting under special charters, etc.

Senate File No. 314, a bill for an act authorizing the Executive Council to sell and convey an island newly formed by accretion in the Mississippi River.

Senate File No. 247, a bill for an act to amend sections 4, 10, 11, and 12, of chapter 75 of the acts of the Eighteenth General Assem-

bly, in relation to the practice of pharmacy and the sale of medicines and poisons.

And find the same correctly enrolled.

T. E. CLARK, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills and joint resolution, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

House File No. 419, a bill for an act to appropriate money to T. E. Whiting for lease of property to the Girls' Department of the Iowa Reform School.

House File No. 472, a bill for an act to authorize the board of school directors in Pacific City, in Mills county, to build a school-house on town park.

House File No. 201, a bill for an act to provide for filling vacancies in offices of incorporated towns.

House File No. 442, a bill for an act to legalize the levy of certain taxes in Mills county, Iowa.

House File No. 172, a bill for an act to provide for the publication of city and town ordinances in book or pamphlet form, and for the taking effect thereof.

House File No. 414, a bill for an act to legalize the organization and acts of the independent school district of Carl Village, consisting of territory in the county of Adams, Iowa.

House File No. 202, a bill for an act to amend section 463 of the Code, relating to the sale of liquors in cities and incorporated towns.

House File No. 139, a bill for an act to amend section 1, chapter 47 of the acts of the Eighteenth General Assembly, in relation to crossing highways.

Substitute for House File No. 317, a bill for an act to repeal chapter 153 of the laws of the Ninth General Assembly, and to amend section 1, chapter 147, laws of the Eighteenth General Assembly.

House File No. 475, a bill for an act in relation to the compensation of certain members of the Nineteenth General Assembly.

Senate File No. 200, a bill for an act to authorize the sale and conveyance of indemnity swamp land, so-called.

Substitute for Senate File No. 192, a bill for an act apportioning the State of Iowa into senatorial districts.

Joint resolution proposing amendments to the Constitution and providing for their reference and publication.

R. B. BAIRD, *Assistant Clerk.*

Senator Nichols of Guthrie moved that the Senate reconsider the vote by which the Senate concurred in House amendment to Senate resolution, relative to final adjournment, which motion prevailed.

The question being, shall the Senate concur in the House amendment? the Senate refused to concur.

On motion of Senator Hemenway, the secretary was instructed to re-

turn to the House Senate concurrent resolution relative to final adjournment, as per request by the House.

Senate File No. 126, a bill for an act to amend chapter 183 of the acts of the Eighteenth General Assembly, relating to bonding of county indebtedness, was taken up and considered with the House amendment thereto indicated on the bill.

The question being, shall the Senate concur in the House amendment? the roll was called.

The yeas were:

Senators Arnold, Baker, Bills, Boling, Brown of Van Buren, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Russell of Greene, Russell of Jones, Shrader, Sudlow, Tirrill, and Wall—38.

The nays were—None.

Absent or not voting:

Senators Abraham, Brown of Keokuk, Clark of Page, Clark of Wayne, Kamrar, Nichols of Benton, Robinson, Rothert, Smith, Whaley, Wilson, and Wright—12.

So the Senate concurred.

#### REPORT OF COMMITTEE.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 244, a bill for an act empowering cities under special charters to establish boards of health.

House File No. 443, a bill for an act to submit to a vote of the people the proposed amendment to the Constitution, prohibiting the manufacture and sale of intoxicating liquors as a beverage, in this State.

House File No. 415, a bill for an act to authorize incorporated towns and cities to procure and donate to railway companies sites for depots, machine-shops, etc.

And find the same correctly enrolled.

T. E. CLARK, *Chairman.*

#### INTRODUCTION OF BILLS.

Senator Russell of Greene, by leave, introduced Senate File No. 344 a bill for an act establishing the Supreme Court at the capital of the State.

Read a first and second time.

Senator Bills moved a reference of the bill to the Judiciary Committee, which motion was lost.

The question being on the engrossment of the bill, Senator Hall moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, on which question the yeas and nays were demanded. The roll was called.

The yeas were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Brown of

Van Buren, Clark of Page, Clark of Wayne, Dasbiell, Gillett, Greenlee, Hall, Hartshorn, Hebard, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Prizer, Robinson, Russell of Greene, Russell of Jones, Shrader, Smith, Wall, Whaley, and Wilson—33.

The nays were:

Senators Bills, Cotton, Garber, Graves, Harmon, Hemenway, Larrabee, Logan, Marshall, Mitchell, Nielander, Parker, Sudlow, Tirrill, and Wright—15.

Absent or not voting:

Senators Baker and Rothert—2.

So the motion prevailed.

The bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Dashiell, Gillett, Greenlee, Hall, Hartshorn, Hebard, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Prizer, Robinson, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Wall, and Wilson—33.

The nays were:

Senators Baker, Bills, Cotton, Garber, Graves, Harmon, Hemenway, Larrabee, Logan, Marshall, Mitchell, Nielander, Parker, Tirrill, and Wright—15.

Absent or not voting:

Senators Rothert and Whaley—2.

So the bill passed, and the title was agreed to.

#### REPORT OF COMMITTEE.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 328, a bill for an act to legalize the sale of certain school lands in Allamakee county, Iowa.

House File No. 320, a bill for an act to legalize the sale of certain school lands in Woodbury to Jane H. Fisher.

House File No. 471, a bill for an act to legalize the election of C. R. Quackenbush and E. E. Alverson as trustees of the town of Marengo.

House File No. 325, a bill for an act to legalize incorporation of the town of Cascade, etc.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills without amendment:

Senate File No. 314, a bill for an act authorizing the Executive Council to sell and convey an island newly formed by accretion in the



Mississippi River, in sections 34 and 35, township 78, range 3 east of the fifth P. M., in Scott county, Iowa.

Also, has passed Senate File No. 126, a bill for an act to amend chapter 183 of the acts of the Eighteenth General Assembly, relating to bonding of county indebtedness, with the following amendment: strike out the word "fifteen" in the ninth line of section 1 of said bill and insert the word "six."

A. W. RENSHAW, *Second Assistant Clerk.*

#### REPORTS OF COMMITTEES.

Senator Johnson, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred the resolution offered by the Senator from Benton, construing the proposed amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquors as a beverage within this State, beg leave to report that they have had the same under consideration, and a majority have instructed me to report the accompanying substitute back to the Senate with the recommendation that the substitute be adopted.

J. K. JOHNSON, *Chairman.*

Ordered passed on file.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval: Senate File No. 200, a bill for an act to authorize the sale and conveyance of indemnity swamp lands so-called.

Substitute for Senate File No. 192, a bill for an act apportioning the State of Iowa into senatorial districts.

Senate File No. 247, a bill for an act to amend sections 4, 10, 11, and 12 of chapter 75 of the acts of the Eighteenth General Assembly in relation to the practice of pharmacy and the sale medicines and poisons.

T. E. CLARK, *Chairman.*

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred substitute for House File No. 59, a bill for an act in relation to bonding county indebtedness, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, as a bill has been passed upon this subject.

LARRABEE, *Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILL.

Senator Russell of Greene, by leave, introduced Senate File No. 345, a bill for an act to legalize defective acknowledgments to written instruments recorded in this State.

Read a first and second time and ordered passed on file.

## REPORTS OF COMMITTEES.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 335, a bill for an act making an appropriation to employ an expert oculist for the benefit of the inmates of the College for the Blind.

Senate File No. 144, a bill for an act to repeal section 3791, of the Code of 1873, and to enact a substitute therefor, relating to the compensation of members of boards of supervisors.

Senate File No. 322, a bill for an act in relation to the reports of public officers and institutions, and to provide for printing and distributing public documents.

Senate File No. 275, a bill for an act to amend chapter 111 of the laws of the Eighteenth General Assembly, in relation to school districts.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Senator Hebard, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 327, a bill for an act for the relief of S. P. Beeder, by making an appropriation of \$1,000, claimed as a balance due him for printing certain pamphlets in the Swedish and Norwegian languages for the use of the Commissioner of Immigration, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be passed on file for the present, as your committee have not sufficient information to warrant them in recommending the appropriation asked for at the present time.

ALFRED HEBARD, *Chairman*.

Ordered passed on file.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills without amendment:

Senate File No. 338, a bill for an act to amend section 438, chapter 10, title 4 of the Code, in relation to the abandonment of charters of cities and towns acting under special charters, and making valid certain ordinances thereof.

Substitute for Senate File No. 337, a bill for an act entitled an act changing the terms of court in certain counties of the Eleventh Judicial District.

Substitute for Senate File No. 221, a bill for an act to provide for taxation of leasehold estates in Agricultural College lands.

A. W. RENSHAW, *Second Assistant Clerk*.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 221, a bill for an act to provide for taxation of leasehold estates in Agricultural College lands.

Substitute for Senate File No. 71, a bill for an act to amend sections 1774 and 1776 of the Code, in relation to the duties of superintendents of schools.

Senate File No. 126, a bill for an act to amend chapter 183 of the acts of the Eighteenth General Assembly, relating to the bonding of county indebtedness.

Senate File No. 257, a bill for an act to amend section 8, of chapter 77 of the acts of the Seventeenth General Assembly, making the Railroad Commissioners' tax payable directly into the State treasury.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

#### RECONSIDERATION.

Senator Larrabee moved a reconsideration of the vote by which the Senate passed House File No. 159, a bill for an act to protect railway passengers and others from annoyance and disturbance by rowdies and intoxicated persons.

Senator Larrabee moved a reconsideration of the vote by which said bill was ordered to a third reading, which motion prevailed.

On motion the bill was indefinitely postponed.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills and joint resolution which have passed both branches of the General Assembly, and have been duly enrolled, and signed by the Speaker of the House:

House File No. 270, a bill for an act apportioning the State into representative districts.

House File No. 372, a bill for an act to legalize the action of the county superintendent of Linn county, in the transfer of certain territory.

House File No. 404, a bill for an act to legalize the sale and transfer by the St. Paul & Sioux City Railroad Company of its railroads in Iowa, to the Chicago, St. Paul, Minneapolis & Omaha Railway Company, and to legalize the issue of its stock and bonds thereon by the last named company.

House File No. 279, a bill for an act to legalize the acts of J. B. Lamb while acting as a justice of the peace in Allen township, Polk county, Iowa.

Joint resolution relating to the publication of the returns of the federal census of 1880 for the State of Iowa, under the provision of chapter 128 of the acts of the Eighteenth General Assembly.

R. B. BAIRD, *Assistant Clerk*.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 312, a bill for an act to provide for the appointment and salary of a deputy clerk of the Supreme Court.

Senate File No. 188, a bill for an act to amend section 1675 of the Code, and to repeal section 1676 of the Code, as amended by chapter 1872 of the acts of the Seventeenth General Assembly, and chapter 165 of the act of the Eighteenth General Assembly, and to enact a substitute therefor.

Substitute for Senate File No. 287, a bill for an act to include all the territory of an incorporated city or town within the independent school district, or districts now existing, or hereafter to be formed.

T. E. CLARK, *Chairman*.

House File No. 434, a bill for an act to repeal chapter 81, laws of the Seventeenth General Assembly, and to enact a substitute therefor relating to support of convicts in the Additional Penitentiary, with report of the committee recommending it do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Brown of Van Buren moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Harmon, Hartsborn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Keller, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Royneer, Prizer, Robinson, Sudlow, Tirrill, and Wall—31.

The nays were:

Senators Brown of Van Buren, Greenlee, and Rothert—3.

Absent or not voting:

Senators Boling, Brown of Keokuk, Clark of Page, Hall, Kamrar, Larrabee, Mitchell, Nichols of Benton, Nielander, Russell of Greene, Russell of Jones, Shrader, Smith, Whaley, Wilson, and Wright—16.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to request your honorable body to return to the House the Senate resolution as amended by the House fixing the date of adjournment for March 16.

R. B. BAIRD, *Assistant Clerk*.

House File No. 93, a bill for an act to repeal sections 3786 and 3815 of the Code of Iowa relating to the payment of fees into the county treasury and to enact a substitute therefor, with the report of the committee recommending it do pass, was taken up and considered.

The question being on the engrossment of the bill, Senator Shrader moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Baker, Bills, Boling, Cotton, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway, Hunt, Johnson, Keller, Larrabee, Logan, Marshall, Nichols of Guthrie, Nielander, Patrick, Poyneer, Prizer, Robinson, Rotherth, Russell of Jones, and Sudlow—29.

The nays were:

Senators Brown of Van Buren and Clark of Wayne—2.

Absent or not voting:

Senators Abraham, Brown of Keokuk, Clark of Page, Greenlee, Henderson, Hutchison, Kamrar, Mitchell, Nichols of Benton, Nichols of Muscatine, Parker, Russell of Greene, Shrader, Smith, Tirrill, Wall, Whaley, Wilson, and Wright—19.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution, in which the concurrence of the Senate is asked:

Concurrent resolution relating to the final adjournment of both houses.

A. W. RENSRAW, *Second Assistant Clerk.*

Substitute for House Files Nos. 161, 166, and 196, a bill for an act to amend section 75, chapter 8, laws of the Eighteenth General Assembly, and to repeal sections 1527, 1529, and 1537 of the Code in relation to the sale of intoxicating liquors, was taken up and considered.

Senator Graves proposed to amend the bill by inserting the word "willful" after the word "any" in the eighth line of section 1, which motion was lost.

The question being on the engrossment of the bill, Senator Larrabee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Boling, Brown of Van Buren, Clark of Wayne, Dashiell, Gillett, Greenlee, Harmon, Hartshorn, Hebard, Hemenway, Hunt, Hutchison, Johnson, Keller, Larrabee, Marshall, Nichols of Muscatine, Parker, Patrick, Poyneer, Robinson, Russell of Jones, Sudlow, Tirrill, and Whaley—27.

The nays were:

Senators Baker, Bills, Graves, Nielander, Rotherth, and Shrader—6.

Absent or not voting:

Senators Brown of Keokuk, Clark of Page, Cotton, Garber, Hall,

Henderson, Kamrar, Logan, Mitchell, Nichols of Benton, Nichols of Guthrie, Prizer, Russell of Greene, Smith, Wall, Wilson, and Wright—17.

So the bill passed, and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills without amendment:

Senate File No. 322, a bill for an act in relation to the reports of public officers and institutions, and to provide for printing and distributing public documents.

Senate File No. 294, a bill for an act to legalize the incorporation and change of name of the town of Menlo, Guthrie county, Iowa.

Also that the House has passed Senate File No. 144, a bill for an act to repeal section 3791 of the Code of 1873 and to enact a substitute therefor relating to the compensation of members of boards of supervisors, with amendments noted in bill.

Also, House has concurred in Senate amendment to House File No. 57, a bill for an act to create a State Educational Board of Examiners to encourage training in the science and art of teaching.

A. W. RENSHAW, *Second Assistant Clerk.*

House File No. 469, a bill for an act to legalize the incorporation and the official proceedings of the town of Moravia, in the county of Appanoose, State of Iowa.

Read a first and second time.

The question being on the engrossment of the bill, Senator Clark of Wayne moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Van Buren, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Harmon, Hartshorn, Hebard, Hemenway, Hunt, Hutchison, Johnson, Keller, Larrabee, Marshall, Mitchell, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Sudlow, Tirrill, Whaley, and Wright—36.

The nays were—None.

Absent or not voting:

Senators Brown of Keokuk, Clark of Page, Greenlee, Hall, Henderson, Kamrar, Logan, Nichols of Benton, Nichols of Guthrie, Poyneer, Russell of Greene, Smith, Wall, and Wilson—14.

So the bill passed, and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills without amendment:

Senate File No. 322, a bill for an act in relation to the reports of

public officers and institutions, and to provide for printing and distributing public documents.

Senate File No. 294, a bill for an act to legalize the incorporation and change of name of the town of Menlo, Guthrie county, Iowa.

Also, the House has passed Senate File No. 144, a bill for an act to repeal section 3791 of the Code of 1873, and to enact a substitute therefor, relating to the compensation of members of boards of supervisors, with amendments noted in bill.

Also, House has concurred in Senate amendment to House File No. 57, a bill for an act to create a State Educational Board of Examiners, and to encourage training in the science and art of teaching.

A. W. RENSRAW, *Second Assistant Clerk.*

Senate File No. 75, a bill for an act to amend section 6, of chapter 151 of the laws of the Eighteenth General Assembly, was taken up and considered.

Senator Shrader moved to amend by inserting the words "actually written," in the fourth line of section 1, after the word "words."

Senator Robinson moved that the consideration of the pending bill be postponed until after the consideration of Senate File No. 195, which was agreed to.

Senate File No. 195 was considered and ordered passed on file.

On motion, House File No. 461, a bill for an act to abate club rooms, was taken up and read a first and second time.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills without amendment:

Senate File No. 257, a bill for an act to amend section 8, of chapter 77, acts of the Seventeenth General Assembly, making the Railroad Commissioners' tax payable directly into the State treasury.

Also, the House has concurred in Senate amendment to House File No. 306, a bill for an act to prevent and punish the adulteration of articles of food, drink, and medicine, and sale thereof when adulterated.

Senate File No. 335, a bill for an act making appropriation to employ an expert oculist for the benefit of the inmates of the College for the Blind.

Also, the House has concurred in Senate resolution relative to finishing the new capitol.

E. C. HAYNES, *Clerk.*

Senator Bills moved that the bill be ordered printed and referred to the Judiciary Committee, which was agreed to.

Senate File No. 195, a bill for an act amending section 3, chapter 151, laws of the Eighteenth General Assembly, relating to the fees of the Circuit and District courts, was taken up, with report of committee recommending amendment by striking out the word "contingent," in line 13, section 1 thereof, and as thus amended that it do pass.

The report was adopted.

Senator Bills moved an amendment by inserting the words "of written matter" before "contained," in line 11, section 3, which amendment was adopted.

The question being on the engrossment of the bill, Senator Robinson moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Van Buren, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hebard, Hemenway, Henderson, Hunt, Hutchison, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Shrader, Sudlow, Tirrill, and Wall—35.

The nays were—None.

Absent or not voting:

Senators Baker, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Hartshorn, Johnson, Kamrar, Nichols of Benton, Rothert, Russell of Greene, Smith, Whaley, Wilson, and Wright—15.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the Senate has passed the following bills without amendment:

Senate File No. 71, a bill for an act to amend sections 1774 and 1776 of the Code, in relation to the compensation of county superintendents of schools.

Senate File No. 247, a bill for an act to amend sections 4, 10, 11, and 12, of chapter 75, acts of the Eighteenth General Assembly.

A. W. RENSHAW, *Second Assistant Clerk.*

Senate File No. 233, a bill for an act regulating the herding of stock and providing for damages done thereby, with the report of the committee proposing a substitute and recommending that it be adopted and do pass, was taken up and considered.

The substitute was adopted and ordered passed on file.

Senate File No. 305, a bill for act to provide for the publication and distribution of the proceedings of the Iowa State Improved Stock-Breeders' Association, with report of the Committee recommending amendment by adding to the last section of the bill the words "and shall not exceed three hundred pages in number.

The amendment was adopted.

The question being on the engrossment of the bill, Senator Larrabee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Bills, Boling, Cotton, Dashiell, Garber, Graves,



Greenlee, Hall, Harmon, Hartshorn, Hebard, Hemenway, Hunt, Hutchison, Johnson, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Tirrill, and Whaley—32.

The nays were:

Senators Abraham, Brown of Van Buren, Nielander, and Sudlow—4.

Absent or not voting:

Senators Brown of Keokuk, Clark of Page, Clark of Wayne, Gillett, Henderson, Kamrar, Nichols of Benton, Poyneer, Russell of Greene, Smith, Wall, Whaley, Wilson, and Wright—14.

So the bill passed, and the title was agreed to.

Senate File No. 341, a bill for an act relating to the contract and lease of ground belonging to the State Normal School, with report of the committee recommending it do pass, was taken up and considered.

On the engrossment, Senator Hemenway moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Cotton, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway, Hunt, Hutchison, Johnson, Keller, Larrabee, Logan, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Prizer, Robinson, Rothert, Russell of Jones, Shrader, Sudlow, Tirrill, and Whaley—34.

The nays were—None.

Absent or not voting:

Senators Baker, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Greenlee, Henderson, Kamrar, Marshall, Nichols of Benton, Poyneer, Russell of Greene, Smith, Wall, Wilson, and Wright—16.

So the bill passed, and the title was agreed to.

Senate File No. 237, a bill for an act to amend section 1539 of the Code, providing penalty for the selling of intoxicating liquors to minors or intoxicated persons, with the report of the committee recommending that the bill do pass, was taken up and considered.

The question being on engrossment, on motion of Senator Hemenway, the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Boling, Brown of Van Buren, Clark of Page, Dashiell, Gillett, Greenlee, Harmon, Hartshorn, Hemenway, Hunt, Hutchison, Johnson, Larrabee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Sudlow, Tirrill, Wall, Whaley, and Wilson—30.

The nays were:

Senator Nielander—1.

Absent or not voting:

Senators Baker, Bills, Brown of Keokuk, Clark of Wayne, Cotton, Garber, Graves, Hall, Hebard, Henderson, Kamrar, Keller, Mitchell, Nichols of Benton, Rothert, Russell of Greene, Shrader, Smith, and Wright—19.

So the bill passed, and the title was agreed to.

House File No. 476, a bill for an act to legalize the purchase of certain real estate by the independent district of Winterset.

Read a first and second time.

The question being on the engrossment of the bill, on motion of Senator Hunt the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hebard, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rotherth, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, and Wilson—43.

The nays were—None.

Absent or not voting:

Senators Baker, Greenlee, Mitchell, Henderson, Russell of Greene, Whaley, and Wright—7.

So the bill passed, and the title was agreed to.

House File No. 73, a bill for an act to amend section 3764 of the Code relative to the compensation of State Printer.

Read a first and second time.

The question being on the engrossment of the bill, on motion of Senator Larrabee, the rule was suspended and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Garber, Gillett, Graves, Hall, Hebard, Hunt, Hutchison, Kamrar, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rotherth, Russell of Greene, Shrader, Smith, Sudlow, Tirrill, Wall, and Wilson—35.

The nays were—None.

Absent or not voting:

Senators Baker, Boling, Clark of Page, Dashiell, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Johnson, Logan, Mitchell, Russell of Jones, Whaley, and Wright—15.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 476, a bill for an act to legalize the purchase of certain real estate by the independent district of Winterset.

Also, that the House has adopted the report of the Conference Committee on Senate File No. 192, a bill for an act apportioning the State of Iowa into senatorial districts.

E. C. HAYNES, *Clerk.*

Senate File No. 228, a bill for an act entitled an act to repeal sections 1324, 1325, 1326, 1327, 1328, and 1329 of the Code, and to reenact the same with amendments, with report of the committee proposing amendments, was taken up and considered.

The report was adopted by striking out the word "village" and inserting the word "town," and by inserting the words "or negligently" before the word "fails"; in the second line of section 15 and inserting section 16, which reads as follows; viz., "the proprietor of the telegraph is liable for all mistakes in transmitting messages made by any person in his employment, and from all damages resulting from a failure to perform any other duties required by law," and to renumber sections 16, 17, and 18 so as to read sections 17, 18, and 19, and to attach the publication clause in lieu of section 19, and when so amended it do pass.

The question being on the engrossment of the bill, Senator Graves moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hebard, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, and Wilson—38.

The nays were:

Senator Mitchell, Nielander, and Wright—3.

Absent or not voting:

Senators Clark of Wayne, Hartshorn, Hemenway, Keller, Parker, Sudlow, Tirrill, Wall, and Whaley—9.

So the bill passed, and the title was amended by adding "in relation to telegraphs and telephones," and as thus amended the title was agreed to.

#### REPORT OF COMMITTEE ON CONFERENCE.

Your Committee on Conference on the disagreement between the two houses on substitute for House Files Nos. 420, 422, and 437, beg leave to report that they have met, and after a full and frank conference, beg leave to report the following:

That said Committee of Conference has agreed on said substitute, with the following amendments:

That section 6 be amended by adding thereto the county of Kossuth. That section 10 be amended by adding thereto the county of Audubon and striking therefrom the county of Monona. That section 11 be amended by striking therefrom the county of Audubon. That section 12 be amended by adding thereto the county of Monona and striking

therefrom the county of Kossuth. And that when so amended said substitute do pass.

PLATT WICKS,  
JOHN N. LEWIN,  
R. S. BROWN,  
LYMAN EVANS,  
E. H. HUBBARD,  
T. E. HAINES,  
E. M. REYNOLDS,

*Committee of Conference on part of the House.*

W. M. WILSON,  
GEO. T. WRIGHT,  
J. D. NICHOLS,  
C. M. BROWN,  
HIRAM Y. SMITH,  
J. L. KAMRAB,  
T. E. CLARK,

*Committee of Conference on part of the Senate.*

The question before the Senate being, shall the report of the Conference Committee be adopted? the roll was called.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Cotton, Dashiell, Garber, Gillett, Greenlee, Hall, Harmon, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Patriok, Poyneer, Prizer, Rotherth, Russell of Jones, Shrader, Smith, Sudlow, Wilson, and Wright—36.

The nays were:

Senators Clark of Wayne, Hartshorn, Hebard, Hemenway, Marshall, Parker, Robinson, Russell of Greene, and Whaley—9.

Absent or not voting:

Senators Graves, Logan, Mitchell, Tirrill, and Wall—5.

So the bill passed, and the title was agreed to.

#### RESOLUTION.

Senator Arnold had leave to offer the following resolution:

*Resolved by the Senate, the House concurring,* That both branches of the General Assembly will meet in joint convention in the Hall of the House of Representatives at 7:30 o'clock this P. M., to elect Trustees of the State Agricultural College and Regents of the State University.

The consideration of the resolution was, on motion, postponed thirty minutes.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 421, a bill for an act authorizing cities of the second class to erect and maintain city jails.

Also, have passed without amendment substitute for Senate File No. 275, a bill for an act to amend chapter 111 of the laws of the Eighteenth General Assembly, in relation to the restoration of territory in school districts.

A. W. RENSHAW, *Second Assistant Clerk.*

Joint resolution relative to declaring the meaning intended by the Senate in agreeing to the proposed prohibitory amendment to the Constitution of this State, with the report of the Committee on Constitutional Amendments proposing a substitute, and recommending it be adopted and do pass, was taken up and considered.

On motion the resolution was recommitted to said committee.

Senator Kamrar had the consent of the Senate to call up for consideration Senate File No. 233, a bill for an act regulating the herding of stock and providing for damages done thereby, together with the report of the committee proposing a substitute, and recommending that it be adopted and do pass.

The substitute was adopted.

The engrossment of the bill being in order, on motion of Senator Kamrar the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Garber, Gillett, Graves, Harmon, Hartshorn, Hebard, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Smith, Sudlow, Tirrill, Whaley, Wilson, and Wright—41.

The nays were—None.

Absent or not voting:

Senators Dashiell, Greenlee, Hall, Logan, Mitchell, Parker, Russell of Jones, Shrader, and Wall—9.

So the bill passed, and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill without amendment:

Senate File No. 330, a bill for an act providing for the taxation of certain property for road purposes.

A. W. RENSHAW, *Second Assistant Clerk.*

Senator Arnold obtained consent to call up for consideration House amendment to Senate resolution relative to adjournment.

The question before the Senate being, shall the Senate concur in the House amendment fixing the time of adjournment *sine die* on March 17, at the hour of 11 o'clock? the roll was called.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk,

Clark of Page, Clark of Wayne, Cotton, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hebard, Hutchison, Keller, Larrabee, Marshall, Mitchell, Nichols of Benton, Nichols of Muscatine, Nielander, Parker, Poyneer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Sudlow, Tirrill, and Wright—35.

The nays were:

Senators Brown of Van Buren, Hemenway, Hunt, Johnson, Smith, Whaley, and Wilson—7.

Absent or not voting:

Senators Dashiell, Henderson, Kamrar, Logan, Nichols of Guthrie, Patrick, Prizer, and Wall—8.

So the Senate concurred.

Senator Tirrill offered the following resolution:

*Resolved by the Senate, the House concurring,* That the warden of the Iowa Penitentiary at Fort Madison, under the direction of the Executive Council, is hereby authorized to use so much of the contingent and repair fund appropriated to said penitentiary at the session of the Nineteenth General Assembly, as may be necessary to construct additions to shops five and seven in said penitentiary in order that the health and security of the convicts may be more effectively secured.

On motion of Senator Larrabee, consideration of the resolution was postponed until to-morrow morning.

#### RESOLUTION.

Senator Arnold offered a resolution limiting time of speaking by any one Senator to five minutes henceforth during session.

Senator Bills moved an amendment by excepting the length of speeches in the discussion of the resolution relative to declaring the meaning of the proposed prohibitory amendment to the Constitution of this State.

Pending which resolution and amendment, on motion of Senator Larrabee, the Senate went into executive session.

The following communication was received at the hands of the private secretary of Governor Sherman:

STATE OF IOWA, EXECUTIVE DEPARTMENT, }  
DES MOINES, March 15, 1882. }

*To the Honorable, the Senate of Iowa:*

I hereby nominate Parker C. Wilson, of Mahaska county, for State Mine Inspector, for the term of two years from and after April 1, 1882.

BUREN R. SHEEMAN.

Parker C. Wilson was duly confirmed as State Mine Inspector.  
At 6:10 o'clock the Senate adjourned.

SENATE CHAMBER,  
DES MOINES, IOWA, March 17, 1882. }

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. J. Talbott.

The reading of the journal was, on motion, dispensed with.

#### INTRODUCTION OF BILLS.

By Senator Tirrill, Senate File No. 346, a bill for an act to provide for the publication and distribution of two thousand copies of the proceedings of the Iowa State Dairymen's Association.

Read a first and second time.

On motion of Senator Tirrill the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Boling, Brown of Keokuk, Clark of Page, Clark of Wayne, Cotton, Garber, Gillett, Graves, Harmon, Hartshorn, Hemenway, Henderson, Hutchison, Johnson, Kamrar, Larrabee, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Russell of Greene, Russell of Jones, Shrader, Tirrill, Whaley, and Wilson—31.

The nays were:

Senators Abraham, Brown of Van Buren, Dashiell, Greenlee, Hunt, Hutchison, Keller, Nichols of Benton, and Wall—8.

Absent or not voting.

Senators Baker, Bills, Hall, Hebard, Kamrar, Mitchell, Prizer, Rother, Smith, Sudlow, and Wright—11.

House File No. 421, a bill for an act to permit cities of the second class to erect and maintain jails.

Read a first and second time.

On motion of Senator Greenlee the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Keller, Larrabee, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Russell of Jones, Shrader, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—11.

The nays were—None

Absent or not voting:

Senators Bills, Clark of Page, Hebard, Kamrar, Logan, Prizer, Rother, Russell of Greene, and Smith—9.

By Senator Wright, Senate File No. 347, a bill for an act to cede jurisdiction over certain lots to be acquired and owned by the United States, for the erection thereon of a post-office and government offices.

Read a first and second time.

The question being on the engrossment of the bill, on motion of Senator Wright the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Keller, Larrabee, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Russell of Jones, Shrader, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—40.

The nays were—None.

Absent or not voting:

Senators Arnold, Bills, Hall, Hebard, Kamrar, Logan, Marshall, Rothert, Russell of Greene, and Smith—10.

#### RESOLUTION.

The following resolution offered by Senator Whaley, was adopted:

*Resolved*, That the Senate tender a vote of thanks to Senator Hemenway as President *pro tem.* of the Senate, and to Col. Frank D. Jackson as Secretary, and to his assistants, and to all the officers of the Senate, for the efficient and acceptable manner in which they have performed their respective duties.

Senator Arnold offered the following resolution and moved its adoption.

WHEREAS, Doubts have been suggested as to the true intent and meaning of the joint resolution agreed to by the Eighteenth General Assembly, and by this General Assembly, proposing to amend the Constitution of this State so as to prohibit the manufacture and sale of intoxicating liquors as a beverage within this State; and

WHEREAS, It is desirable that such doubts should be removed as far as practicable before said proposed amendment is voted upon by the people; therefore,

*Be it resolved by the Senate*, That said proposed amendment was and is designed and intended to prohibit the manufacture within this State, for sale within this State, as a beverage, of all intoxicating liquors, including ale, wine, and beer, and to prohibit the selling of such liquors within this State for use as a beverage, and to prohibit the keeping of such liquors for sale as a beverage within this State; and was not designed to prohibit the manufacture, sale, or keeping for sale of such liquors for any or all other purposes.

Senator Arnold moved the previous question.

On the second to the motion the roll was called.

The yeas were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Clark of Page, Cotton, Dashiell, Gillett, Greenlee, Harmon, Hartshorn, Hemenway, Hunt, Johnson, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Russell of Jones, Sudlow, Tirrill, Wall, Whaley, and Wilson—28.

The nays were:

Senators Baker, Brown of Van Buren, Clark of Wayne, Garber,



Graves, Hall, Henderson, Hutchison, Keller, Larrabee, Mitchell, Nichols of Benton, Nielander, Robinson, and Wright—15.

Absent or not voting:

Senators Bills, Hebard, Kamrar, Rothert, Russell of Greene, Shrader, and Smith—7.

So the motion received a second.

The question before the Senate being, shall the main question now be put? the roll was called.

The yeas were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Clark of Page, Cotton, Dashiell, Gillett, Greenlee, Harmon, Hartshorn, Hemenway, Hunt, Johnson, Kamrar, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Patrick, Poyneer, Prizer, Russell of Jones, Sudlow, Tirrill, Wall, Whaley, and Wilson—29.

The nays were:

Senators Baker, Bills, Brown of Van Buren, Clark of Wayne, Garber, Graves, Hall, Henderson, Hutchison, Keller, Larrabee, Mitchell, Nielander, Robinson, Rothert, Russell of Greene, Shrader, and Wright—18.

Absent or not voting:

Senators Hebard, Parker, and Smith—3.

So the main question was ordered put.

Senator Nichols of Benton moved that the Senate reconsider the vote by which the main question was ordered.

On which motion the yeas and nays were demanded.

The yeas were:

Senators Baker, Bills, Brown of Van Buren, Clark of Wayne, Garber, Graves, Hall, Henderson, Hutchison, Keller, Larrabee, Mitchell, Nichols of Benton, Nielander, Robinson, Rothert, Russell of Greene, Shrader, Smith, Sudlow, and Wright—21.

The nays were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Clark of Page, Cotton, Dashiell, Gillett, Greenlee, Harmon, Hartshorn, Hemenway, Hunt, Johnson, Kamrar, Logan, Marshall, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Russell of Jones, Tirrill, Wall, Whaley, and Wilson—28.

Absent or not voting:

Senator Hebard—1.

So the motion was lost.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 464, a bill for an act for the relief of William Lowry, late treasurer of Polk county.

House File No. 477, a bill for an act to provide for the payment of the expenses incurred by the special investigating committee of the Nineteenth General Assembly.

Also, Senate File No. 343, a bill for an act making appropriations

for the payment of State and judicial officers and certain expenses of the General Assembly, has passed the House with the amendment by adding additional sections to the bill.

R. B. BAIRD, *Assistant Clerk*.

The question recurring upon the adoption of the resolution offered by Senator Arnold, the yeas and nays were demanded.

The yeas were:

Senators Abraham, Arnold, Boling, Brown of Keokuk, Clark of Page, Cotton, Dashiell, Gillett, Greenlee, Harmon, Hartshorn, Hemenway, Johnson, Kamrar, Logan, Marshall, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Poyneer, Prizer, Russell of Greene, Russell of Jones, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—31.

The nays were:

Senators Baker, Bills, Brown of Van Buren, Clark of Wayne, Garber, Graves, Hall, Henderson, Hunt, Hutchison, Keller, Mitchell, Niellander, Robinson, Rothert, and Smith—16.

Absent or not voting:

Senators Hebard, Larrabee, and Shrader—3.

So the resolution was adopted.

Senator Bills protested as follows:

MR. PRESIDENT—The Senator from Scott desires to enter his protest against ordering the previous question upon the resolution of the Senator from Marshall, construing the proposed prohibitory constitutional amendment for the reasons:

That said resolution was delayed until the last two hours of the session for the purpose of giving an excuse for cutting off debate, which, considering the importance of the questions involved, is without excuse, and is contrary to the express promise of the Senator from Marshall made at different times on the floor of the Senate.

Senator Garber filed the following protest:

In the matter of the adoption of the resolution explanatory and placing an interpretation upon the prohibitory amendment to the Constitution.

I desire to enter this my protest for the reason that the courts are not bound by such interpretation, and we may thereby mislead the people as to the true construction thereof that may be given by the courts.

M. GARBER.

Senator Nichols of Benton moved a reconsideration of the vote by which the resolution was adopted, which did not prevail.

#### SECOND READING OF BILLS.

Senator Nichols of Guthrie had consent of the Senate to call up for consideration House File No. 464, a bill for an act for the relief of Wm. Lowry late treasurer of Polk county.

Read a first and second time.

Senator Smith asked to be excused from voting on the passage of the bill.

The request was granted.

Senator Nichols of Guthrie moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hutchison, Johnson, Keller, Mitchell, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, Shrader, Tirrill, Wall, Whaley, Wilson, and Wright—32.

The nays were:

Senators Abraham, Greenlee, Hunt, Kamrar, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, and Robinson, Sudlow—11.

Absent or not voting:

Senators Baker, Hebard, Larrabee, Logan, Marshall, Russell of Jones, and Smith—16.

So the bill not having received a vote of two thirds did not pass.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill without amendment:

Senate File No. 347, a bill for an act to cede jurisdiction over certain lots to be acquired and owned by the United States Government in the city of Council Bluffs, for the site of the post-office and other buildings.

R. B. BAIRD, *Assistant Clerk*.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Substitute for House Files Nos. 420, 422, and 427, a bill for an act to divide the State into eleven congressional districts.

Concurrent resolution in regard to new capitol.

Senate File No. 132, a bill for an act to make general appropriations, for expenses, etc.

T. E. CLARK, *Chairman*.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

Senate File No. 338, a bill for an act to amend section 438, title 4, chapter 10 of the Code, relating to the abandonment of the charters of cities and town acting under special charters, providing for the term of office of its officers, and the validity of certain ordinances thereof after abandonment.

Senate File No. 330, a bill for an act providing for the taxation of certain property for road purposes.

Senate File No. 322, a bill for an act in relation to the reports of public officers and institutions, and to provide for printing and distributing public documents.

Senate File No. 314, a bill for an act authorizing the Executive

Council to sell and convey an island newly formed by accretion in the Mississippi River, in Scott county, Iowa.

Also, concurrent resolution concerning furnishing the new capitol.

Substitute for House Files Nos. 420, 422, and 427, a bill for an act to divide the State into eleven congressional districts, and to provide for the election of congressmen thereunder.

House File No. 421, a bill for an act authorizing cities of the second class to erect and maintain city jails.

House File No. 73, a bill for an act to amend section 3764 of the Code, relative to compensation of State Printer.

House File No. 476, a bill for an act to legalize the purchase of certain real estate for school purposes of the independent district of Winterset.

R. B. BAIRD, *Assistant Clerk.*

Senator Larrabee moved that the general appropriation bill, being Senate File No. 343, a bill for an act for the payment of State and judicial officers, and certain expenses of the General Assembly, together with the House amendment thereto, adding as section 41 a proviso for the payment of sixty-six dollars and fifty-five cents costs in prosecuting Martin Heisey *et al.* in the District Court of Jones county, be taken up and considered, which motion prevailed.

The question being, shall the Senate concur in the House amendment? the roll was called.

The yeas were:

Senators Abraham, Arnold, Baker, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Garber, Gillett, Graves, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Marshall, Mitchell, Nichols of Benton, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rothert, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, and Wright—47.

The nays were—None.

Absent or not voting:

Senators Hebard, Logan, and Wilson—3.

So the Senate concurred in the House amendment.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

Senate File No. 337, a bill for an act to change the terms of court in certain counties of the Eleventh Judicial District.

Senate File No. 294, a bill for an act to legalize the incorporation and change of name of the town of Menlo, in Guthrie county, Iowa.

Senate File No. 335, a bill for an act making an appropriation to employ an expert oculist for the benefit of the inmates of the College for the Blind.

House File No. 110, a bill for an act to amend certain sections of chap-

ter 5, title 12 of the Code of 1873, relating to the time of holding pupils in the Girls' Department of the Iowa Reform School.

House File No. 385, a bill for an act to amend section 1862, and to repeal section 1865 of the Code.

House File No. 434, a bill for an act to repeal chapter 87, laws of the Seventeenth General Assembly, and enact a substitute therefor, relating to support of convicts in the Additional Penitentiary.

House File No. 207, a bill for an act to enable boards of directors of independent school districts to insure school property.

House File No. 469, a bill for an act legalizing the incorporation and the official proceedings of the town of Moravia, in the county of Appanoose, State of Iowa.

House File No. 306, a bill for an act to prevent and punish the adulteration of articles of food, drink and medicine, and the sale thereof when adulterated.

Senate File No. 144, a bill for an act to repeal section 3791 of the Code, and to enact a substitute thereto relating to compensation of boards of supervisors.

House File No. 93, a bill for an act to repeal sections 3786 and 3815 of the Code, relating to the payment of fees into the county treasury and to enact a substitute.

House File No. 57, a bill for an act to authorize a State Educational Board of Examiners and to encourage training in the science and art of teaching.

Substitute for House Files Nos. 161, 166, and 196, a bill for an act to amend section 8, chapter 75 of the laws of the Eighteenth General Assembly; also, for an act to repeal section 1527 and to amend sections 1529 and 1537 of the Code in relation to the sale of intoxicating liquors.

Substitute for Senate File No. 71, a bill for an act to amend section 1774 of the Code in relation to the duties and compensation of county superintendent of schools.

Senate File No. 221, a bill for an act to provide for taxation of leasehold estates in Agricultural College lands.

Senate File No. 275, a bill for an act to amend chapter 111 of the laws of the Eighteenth General Assembly, in relation to the restoration of territory in school district.

Senate File No. 247, to amend sections 4, 10, 11, and 12 of chapter 75 of the acts of the Eighteenth General Assembly in relation to the practice of pharmacy and the sale of medicine and poisons.

Senate File No. 257, a bill for an act to amend section 8 of chapter 77 of the acts of the Seventeenth General Assembly, making the Railroad Commissioners' tax payable directly into the State Treasury.

Senate File No. 126, a bill for an act to amend chapter 183 of the acts of the Eighteenth General Assembly relating to the bonding of county indebtedness.

E. C. HAYNES, *Chief Clerk.*

Senator Greenlee moved a reconsideration of the vote by which the Senate passed House File No. 464, a bill for an act for relief of Wm. Lowry.

The motion prevailed.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Clark of Page, Clark of Wayne, Cotton, Dashiell, Gillett, Graves, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hutchison, Johnson, Keller, Larrabee, Mitchell, Nichols of Benton, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, Shrader, Tirrill, Wall, Whaley, Wilson, and Wright—32.

The nays were:

Senators Abraham, Hunt, Kamrar, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, and Sudlow—10.

Absent or not voting:

Senators Baker, Garber, Greenlee, Hebard, Logan, Marshall, Russell of Jones, and Smith—8.

So the bill having failed to receive a majority of two-thirds was, by the President, declared not to have passed.

Whereupon Senator Hall offered the following resolution:

*Resolved*, That House File No. 464 having been passed by a vote of thirty-two in favor of it, has passed the Senate and has received a constitutional majority and become a law.

On the adoption of which resolution the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Arnold, Bills, Brown of Van Buren, Clark of Wayne, Cotton, Dashiell, Gillett, Graves, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hutchison, Johnson, Keller, Larrabee, Mitchell, Nichols of Guthrie, Prizer, Rothert, Russell of Greene, Shrader, Wall, Whaley, Wilson, and Wright—27.

The nays were:

Senators Abraham, Boling, Brown of Keokuk, Garber, Greenlee, Hunt, Kamrar, Logan, Marshall, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Robinson, Russell of Jones, and Sudlow—17.

Absent or not voting:

Senators Baker, Clark of Page, Hebard, Nichols of Benton, Smith, and Tirrill—6.

So the resolution was adopted.

#### REPORT OF COMMITTEE.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 343, a bill for an act making appropriations for the payment of State and judicial officers, and certain expenses of the General Assembly.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

## MESSAGES FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

Joint resolution relative to the pardon of Sergeant Mason, now incarcerated in Washington City for shooting at Guiteau, the murderer of James A. Garfield.

A. W. RENSRAW, *Second Assistant Clerk.*

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the Senate has passed the following bill without amendment:

Senate File N. 195, a bill for an act amending section 3, of chapter 151, acts of the Eighteenth General Assembly, relating to fees of clerks of District and Circuit courts.

R. B. BAIRD, *Assistant Clerk.*

## RESOLUTION.

Senator Larrabee, by leave, offered the following resolution:

*Resolved by the Senate, the House concurring,* That we will meet in joint convention at ten o'clock and fifty minutes for the purpose of electing Regents of the State University and Trustees of the Agricultural College.

The resolution was adopted.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the Senate has passed the following without amendment:

Senate No. 260, a bill for an act to repeal sections 3201 and 3202 of the Code of 1873, and provide a substitute therefor, relating to petitions and arguments for rehearing in the Supreme Court.

Senate File No. 333, a bill for an act to amend section 3, of chapter 111 of the laws of the Thirteenth General Assembly, approved April 13, 1870.

A. W. RENSRAW, *Second Assistant Clerk.*

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, relative to joint convention to elect regent of the State University and State Agricultural College.

Also, House has concurred in Senate resolution relative to purchasing Iowa Legislative Manual.

A. W. RENSRAW, *Clerk.*

On motion of Senator Hemenway, House File No. 477, a bill for an act to provide for the payment of the expenses of the Special Investigating Committee of the Nineteenth General Assembly, was taken up.

Read a first and second time.

The question being on the engrossment of the bill, on motion the rule was suspended and the bill read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Arnold, Bills, Boling, Brown of Keokuk, Brown of Van Buren, Cotton, Dashiell, Greenlee, Hall, Harmon, Hartshorn, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Keller, Larrabee, Logan, Marshall, Mitchell, Nichols of Guthrie, Nichols of Muscatine, Nielander, Parker, Patrick, Poyneer, Prizer, Robinson, Rother, Russell of Greene, Russell of Jones, Shrader, Smith, Sudlow, Tirrill, Wall, Whaley, Wilson, and Wright—42.

The nays were—None.

Absent or not voting:

Senators Baker, Clark of Page, Clark of Wayne, Garber, Gillett, Graves, Hebard, and Nichols of Benton—8.

So the bill passed, and the title was agreed to.

A committee from the House appeared before the bar of the Senate and announced the House ready to receive the honorable Senate in joint convention.

The President appointed Senator Brown of Keokuk as teller on the part of the Senate.

At ten o'clock and fifty minutes the Senate repaired to the Hall of the House of Representatives.

#### JOINT CONVENTION.

The joint convention was called to order by the President of the Senate, who stated that the object of the joint convention was to elect Regents for the State University, and Trustees for the Agricultural College.

Mr. Irwin moved that the convention proceed to the election of Regents of the State University, which motion prevailed.

Mr. Irwin moved that H. A. Burrell of Washington county, be selected as Regent from the First District.

The motion prevailed.

Mr. Johnson moved that D. N. Richardson be elected as Regent from the Second District, which was agreed to.

Senator Nichols of Guthrie nominated Thomas S. Wright of Polk county, as Regent from the Seventh District.

Senator Hall moved Fred W. Lehman for the office of Regent from said district.

Thomas S. Parr of Warren county, was also nominated.

The roll was called with the following result:

The whole number of votes cast was .....	115
Necessary to a choice.....	58
Of which Thomas S. Wright received.....	60
Of which Thomas S. Parr received.....	3

Thomas S. Wright was therefore selected as Regent of the State University from the Seventh District.



Those voting for Thomas S. Wright were:

Messrs. Aaker, Aldrich, Anderson, Barrett, Baughman, Benson, Bird, Bishop, Bosworth, Brown of Butler, Brown of Keokuk, Brown of Van Buren, Caldwell, Dashiell, Dickins, Dotson, Epperson, Evans, Garber, Greenlee, Haines, Hall of Clarke, Hart, Havens, Hemenway, Hubbard, Irwin, Johns, Johnson of Mahaska, Kelly, Larrabee, Lemert, Lewis, McCall, Marshall, Merten, Muncey, Nichols of Guthrie, Nichols of Muscatine, Parker, Patrick, Pearson, Pickler, Pitcher, Poyneer Reynolds, Rothert, Russell of Jones, St. Clair, Spencer, Struble, Sudlow, Tilton, Tirrill, Warren, Welstead, Whaley, Wilson of Clarke, and Wright of Pottawattamie—60.

Those voting for Fred. W. Lehman were:

Messrs. Abraham, Arnold, Babcock, Baker, Bills, Blain, Boling, Bolter, Bowdish, Danforth, Daugherty, Davidson, Dickins, Dotson, Earle, Ehl, Epperson, Evans, Garber, Greenlee, Haines, Hall of Des Moines, Hartshorn, Henderson of Fremont, Henderson of Linn, Hubbell, Johnson of Jackson, Kuhlemeier, Lambert, Lucas, Lynch, McCully, Mitchell, Morgan, Mueller, Nichols of Benton, Nichols of Muscatine, Platter, Robb, Rorick, Ryder, Schmidt, Simpson, Smith, Snook, Stephens, Tool, Van Staden, Wicks, Wilson of Kossuth, Wolf of Cedar, and Wolfe of Johnson—52.

Those voting for Thomas T. Parr were:

Messrs. McCulloch, Payne, and Powell—3.

Mr. Anderson moved that the convention proceed to the election of Trustees for the Iowa Agricultural College, which motion prevailed.

Henry G. Little, of Poweshiek county, and C. S. Stryker, of Union county, were placed in nomination.

The roll was called, with the following result:

Whole number of votes cast were.....	77
Necessary to a choice.....	39
Of which C. S. Stryker received.....	41
Of which Henry G. Little received.....	36

Those voting for C. S. Stryker were:

Messrs. Barrett, Baughman, Blain, Bosworth, Bridges, Brown of Butler, Brown of Keokuk, Calkins, Clark of Page, Dotson, Dungan, Earle, Elerick, Epperson, Evans, Griffith, Haines, Hall of Clark, Hunt, Irwin, Johns, Johnson of Mahaska, Keller, Kelly, Kuhlemier, Lewis, McCulloch, McManus, Mueller, Pearson, Pickler, Platter, Powell, Reynolds, Robb, Ryder, St. Clair, Stephens, Taylor, Warren, and Wilson of Clarke—41.

Those voting for Henry G. Little were:

Messrs. Aldrich, Anderson, Arnold, Brown of Van Buren, Caldwell, Gillett, Greenlee, Hart, Hartshorn, Havens, Hemenway, Hubbard, Larrabee, Logan, McCall, Marshall, Merten, Nichols of Benton, Parker, Patrick, Payne, Poyneer, Prizer, Rothert, Russell of Greene, Shrader, Smith, Spencer, Struble, Sudlow, Tilton, Tirrill, Tucker, Wall, Whaley, and Wright of Pottawattamie—36.

The following named persons were by acclamation elected to the office of Trustees for the Iowa Agricultural College; viz., S. R. Willard of Lee county, and H. G. Grattan of Allamakee county.

Senator Hemenway offered the following resolution:

*Be it resolved by the Senate and House of Representatives of the*

*State of Iowa, in joint convention assembled,* That the following named persons are hereby declared duly elected Regents of the State University, and Trustees of the various State institutions; viz.,

Regents of State University, H. A. Burrell, D. N. Richardson, Thos. S. Wright.

Trustees for Iowa Agricultural College, S. R. Willard, H. G. Grat-tan, C. S. Stryker.

The resolution was adopted unanimously.

The following certificates were signed in presence of the joint con-vention:

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 17, 1882. }

This is to certify, that at an election by the two houses of the Gen-eral Assembly of the State of Iowa, in joint convention, on Friday, the 17th day of March A. D. 1882, for the purpose of electing Regents of the State University, H. A. Burrell, having received a majority of all the votes cast for said office, was declared duly elected Regent of the State University.

Signed in the presence of the joint convention, this 17th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STREUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

C. M. BROWN,  
*Teller of the Senate.*

W. S. LEWIS,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 17, 1882. }

This is to certify, that at an election by the two houses of the Gen-eral Assembly of the State of Iowa, in joint convention, on Friday, the 17th day of March, A. D. 1882, for the purpose of electing Regents of the State University, D. N. Richardson, having received a majority of all the votes cast for said office, was declared duly elected Regent of the State University.

Signed in the presence of the joint convention, this 17th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STREUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

C. M. BROWN,  
*Teller of the Senate.*

W. S. LEWIS,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 17, 1882.

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Friday, the 17th day of March, A. D. 1882, for the purpose of electing Regents of the State University, Thomas S. Wright, having received a majority of all the votes cast for said office, was declared duly elected Regent of the State University.

Signed in the presence of the joint convention, this 17th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

C. M. BROWN,  
*Teller of the Senate.*

W. S. LEWIS,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 17, 1882.

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Friday the 17th of March, A. D. 1882, for the purpose of electing Trustees of the Iowa Agricultural College, S. R. Willard having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Iowa Agricultural College.

Signed in the presence of the joint convention, this 17th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

C. M. BROWN,  
*Teller of the Senate.*

W. S. LEWIS,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 17, 1882.

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Friday the 17th day of March, A. D. 1882, for the purpose of electing Trustees of

the Iowa Agricultural College, H. G. Graton, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Iowa Agricultural College.

Signed in the presence of the joint convention this 17th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

C. M. BROWN,  
*Teller of the Senate.*

W. S. LEWIS,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 17, 1882. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Friday, the 17th day of March, A. D. 1882, for the purpose of electing Trustees of the Iowa Agricultural College, Charles S. Stryker, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Iowa Agricultural College.

Signed in the presence of the joint convention this 17th day of March, A. D. 1882.

O. H. MANNING,  
*President of the Senate.*

G. R. STRUBLE,  
*Speaker of the House of Representatives.*

ATTEST:

S. M. BOLING,  
*Teller of the Senate.*

W. S. LEWIS,  
*Teller of the House of Representatives.*

On motion of Senator Greenlee the joint convention dissolved.  
Senate returned to the Senate Chamber and was called to order by the President.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

Senate File No. 333, a bill for an act to amend section 3, of chapter 110, of the laws of the Thirteenth General Assembly.

Senate File No. 195, a bill for an act amending section 3, of chapter 151, acts of the Eighteenth General Assembly, relating to fees of clerks of District and Circuit courts.

Senate File No. 347, a bill for an act to cede jurisdiction over certain lots to be acquired and owned by the United States Government, in the city of Council Bluffs, for the site of post-office and other government buildings.

Senate File No. 26, a bill for an act to repeal section 3201 and 3202 of the Code of 1873, and to provide a substitute therefor in relation to petitions and arguments for rehearing in the Supreme Court.

Senate File No. 333, a bill for an act to amend section 3, of chapter 110, of the laws of the Thirteenth General Assembly, approved April 13, 1870.

House File No. 464, a bill for an act for the relief of Wm. Lowry, late treasurer of Polk county, Iowa.

Senate File No. 343, a bill for an act making appropriation for the payment of State and judicial officers and certain expenses of the General Assembly.

Senate File No. 258, a bill for an act to change the name of the village of Steele, in Appanoose county, Iowa.

House File No. 477, a bill for an act to provide for the payment of the expenses incurred by the special investigating committee of the Nineteenth General Assembly.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

*Resolved*, That the Capitol Commissioners are hereby authorized to place or caused to be placed, on the capitol dome, electric lights suitable to illuminate the capitol grounds; provided, that in the opinion of the commissioners the same can be done without expense to the State and without damage to the building.

R. B. BAIRD, *Assistant Clerk*.

Senator Clark, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 333, a bill for an act, to amend section 3, of chapter 110 of the laws of the Thirteenth General Assembly, approved April 13, 1870.

Senate File No. 347, a bill for an act to cede jurisdiction over certain lots to be acquired and owned by the United States in the city of Council Bluffs, etc.

Senate File No. 258, a bill for an act to change the name of the village of Steele, in Appanoose county, Iowa.

Senate File No. 193, a bill for an act to amend section 3, of chapter 131, acts of the Eighteenth General Assembly, relating to fees of clerks of District and Circuit courts.

Senate File No. 330, a bill for an act providing for the taxation of certain property for road purposes.

House File No. 434, a bill for an act to repeal chapter 81, laws of the Seventeenth General Assembly, and enact a substitute therefor, relating to support of convicts in the Additional Penitentiary.

Substitute for House Files Nos. 161, 166, and 196, a bill for an act to

amend section 8, chapter 75, laws of the Eighteenth General Assembly, also an act to repeal section 1527 and amend section 1873, in relation to the sale of intoxicating liquors.

House File No. 469, a bill for an act to legalize official proceedings of the town of Moravia, in the county of Appanoose, State of Iowa.

House File No. 93, a bill for an act to repeal sections 3786 and 3815 of the Code, relating to the payment of fees into the county treasury, and enact a substitute therefor.

House File No. 57, a bill for an act to create a State Educational Board of Examiners, and to encourage training in the science and art of teaching.

House File No. 207, a bill for an act to enable boards of directors of independent school districts to insure school property.

House File No. 306, a bill for an act to prevent and punish the adulteration of articles of food, drink, and medicine, and the sale thereof when adulterated.

House File No. 285, a bill for an act to amend section 1862, and to repeal section 1865 of the Code.

House File No. 110, a bill for an act to amend certain sections of chapter 5, title 12 of the Code of 1873, relating to the time of holding pupils in the Girls' Department of the Reform School.

Concurrent resolution concerning furnishing of the new capitol.

Senate File No. 260, a bill for an act to repeal sections 3201 and 3202 of the Code of 1873, and to provide a substitute therefor, in relation to petition and arguments for rehearing in the Supreme Court.

And find the same correctly enrolled.

T. E. CLARK, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 314, a bill for an act authorizing the Executive Council to sell and convey an island newly formed in Mississippi River, etc.

Senate File No. 322, a bill for an act in relation to the reports of public officers, etc.

Substitute for Senate File No. 275, a bill for an act to amend chapter 111 of the laws of the Eighteenth General Assembly in relation to the restoration of territory in school districts.

Substitute for Senate File No. 71, a bill for an act to amend sections 1774 and 1776 of the Code in relation to the duties and compensation of county superintendents of schools.

Senate File No. 335, a bill for an act making an appropriation to employ an expert-occulist for the College for the Blind.

Senate File No. 144, a bill for an act to repeal section 3791 of the Code of 1873, and to enact a substitute therefor relating to the compensation of members of boards of supervisors.

Senate File No. 244, a bill for an act to amend sections, 4, 10, 11, and 12 of chapter 75 of the acts of the Eighteenth General Assembly in relation to the practice of pharmacy and the sale of medicine and poisons.

Senate File No. 257, a bill for an act to amend section 8, chapter 77, acts of the Seventeenth General Assembly, making the Railroad Commissioners' tax payable directly into the State Treasury.

Senate File No. 324, a bill for an act to legalize the incorporation and change the name of the town of Menlo, etc.

Substitute for Senate File No. 337, a bill for an act to change the terms of court in certain counties of the Eleventh Judicial District.

Senate File No. 126, a bill for an act to amend chapter 183 of the acts of the Eighteenth General Assembly relating to the bonding of county indebtedness.

Senate File No. 221, a bill for an act to provide for taxation of leasehold estates in Agricultural College lands.

Substitute for Senate File No. 330, a bill for an act providing for taxation of certain property for school purposes.

Senate File No. 338, a bill for an act to amend section 438, chapter 10, title 4 of the Code, relative to the abandonment of cities, etc.

T. E. CLARK, *Chairman*.

House resolution relative to illuminating the capitol grounds, was taken up, considered, and adopted.

Senator Larrabee offered the following resolution, which was adopted:

*Resolved*, That the President appoint a committee of three to wait upon the Governor and notify him that the Senate is ready to adjourn, and to ascertain if he has anything further to communicate.

The chair named as such committee Senators Rothert, Logan, and Johnson.

The committee having waited upon the Governor, returned to the Senate Chamber and reported that the Governor had nothing further to communicate to the Senate.

The President adjourned the Senate *sine die*.

*Sic transit gloria mundi*.

W. L.

*Attest:*

FRANK D. JACKSON, *Secretary*.

## ERRATA.

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- Page 186, line 1, read 135, for 133.  
Page 189, line 14, read House File, for Senate File.  
Page 197, line 9, read House File, for Senate File.  
Page 209, resolution relative to street car company, introduced by Senator Clark of Page.  
Page 209, line 23, read Senator Wall, for Senator Hall.  
Page 210, line 35, read Senate File 223, for Senate File 123.  
Page 213, line 7, read House File, for Senate File.  
Page 220, line 5, read House File, for Senate File.  
Page 221, line 31, read House File, for Senate File.  
Page 222, line 29, read Senate File, for House File.  
Page 229, line 19, read House File, for Senate File.  
Page 230, line 31, read weed, for word.  
Page 232, line 14, read House File, for Senate File.  
Page 232, line 23, read House File, for Senate File.  
Page 233, line 32, read 138, for 125.  
Page 233, line 35, read 125, for 152.  
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